

9 a.m.

Wednesday, May 29, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, it's now 9 o'clock. This is a special meeting to accommodate Edmonton people who wish to make presentations and were unable to do so in the original time slots available. Therefore, I would like to get the proceedings under way.

First of all, for those of you who don't know me, my name is Jim Horsman. I'm the MLA for Medicine Hat, and I am the chairman of the select special committee of the Legislature. There are 16 members of the Legislature on the committee, and we have divided into two panels. This panel is here today on, as I say, a day which we had originally intended to have off from our hearings, but to accommodate the extra people, we have decided to sit this morning. The other panel is in Hinton today, so we're all at work. I'd like to ask the members of the panel who are here just to introduce themselves quickly, and then we'll hear from those who may be in attendance who have asked for opportunity this morning.

MRS. GAGNON: Thank you. My name is Yolande Gagnon, and I represent Calgary-McKnight.

MR. ADY: I'm Jack Ady, the MLA for Cardston.

MR. BRADLEY: Fred Bradley, the MLA for Pincher Creek-Crowsnest.

MR. SEVERTSON: Gary Severtson, MLA for Innisfail.

MS BARRETT: Pam Barrett, MLA for this riding, Edmonton-Highlands.

MR. ROSTAD: Ken Rostad, MLA, Camrose.

MR. CHAIRMAN: This is now the fifth day of the hearings in which our panel's been involved. It's been very interesting; we've usually found more people wishing to give us their views than we had time for, but we've managed to accommodate everyone to date. We have to stick very tightly to the timetable, which is that each presenter will have 15 minutes. At the end of 10 minutes a bell will ring, and that will give you an indication that you have five minutes left either to bring your presentation to a conclusion or to let the panel ask you questions or make some observations. I don't know if everybody who wishes to present this morning is in attendance, but is Peggy Morton here? Bronwyn Shoush? Brian Toole? Albert Opstad is not here. Vilma Betts? Bill Dupont? George Brown I believe is here.

Well, Mr. Brown, rather than waiting until 10:30, why don't you come and give us your views right now? If you'd be good enough to make sure you speak directly into the microphone, then the people in the rest of the room will be able to hear you as well.

MR. BROWN: Mr. Chairman, first let me commend you for holding extra hearings. One of the problems with the Meech Lake discussions was that the Canadian public were shut out and had the feeling that their opinion was of no value and, indeed, that they didn't want to hear it. I think the government here is very wise to hear as many citizens as might wish to present themselves. I provided copies of my submission yesterday to your office; do you all have a copy?

Now, if I may, Mr. Chairman, I'd like to read through it as quickly as I can and then answer questions. I hope there'll be a bit of time left. This is, of course, addressed to Hon. Jim Horsman, QC, MLA, chairman.

Dear Sir:

In response to your letter inviting me to make a submission to the all-party committee of the Legislature of Alberta, some of my thinking on this subject appears below. I do wish to participate in these hearings and to speak to some of the points in my brief.

Several crucial issues regarding Canada's future have been brought to the fore by the failure of the Meech Lake debacle. Certainly the core of the problem, the Meech Lake process, was that the English-speaking Canadians had a collective commitment to a concept of Canada with a viable central government. Unfortunately, at that juncture in Canadian history this faith was greater than that of their provincial leaders. This gathering of Premiers behind closed doors has decided to placate Quebec separatist feelings by dismantling Canada's system of federal government.

Mr. Mulroney failed this nation because he lacked the vision of a statesman to build Canada beyond where it was in 1990 and merely sought to make deals with provincial Premiers, some of whom possess only modest abilities and little national faith or vision. The net effect for the Premiers and their provinces had Meech Lake passed would be to aggrandize the provinces at the expense of a strong central government. Mr. Mulroney and the Premiers misjudged the deep desire of the Canadian people to be strong and united, and they thought, if necessary, that Canada as a sovereign nation should be dismembered on the altar of Quebec nationalism.

It has been suggested that somehow Quebec's demands for independence or some kind of sovereignty association is balanced by feelings of western Canadian alienation. This unlikely parallel does not stand up to close examination. True, western political leaders want more power within Canada, but the only idea they have put forward that has much popular support in the west is that of Senate reform. Any reasonable examination of the proposition that Senate reform would produce a wholly new pattern of Canadian political life is doubtful. Geography and population in this country place the locus of economic development in central Canada, the financial and commercial hub of Canada. Canadian economic inequalities in the outlying provinces have been ameliorated through federal transfer payments, regional development policies, and equalization payments. The idea that Senate reform can somehow overcome geography and population patterns of Canada will not wash.

Quebec is, in fact, a distinct society. The puerile suggestion that all the provinces are distinct societies, as suggested by former Premier Vander Zalm and Don Getty, does nothing but muddy the waters. It is little more than a bargaining point to add to individual provincial power. English-speaking Canada must recognize Quebec's distinctiveness in a new Constitution. Certainly its Civil Code is unlike that of the rest of Canada. The French language, which predominates in Quebec, must be recognized in the Constitution. For example, its own pension plan and income tax and special arrangements regarding immigration are other characteristics of Quebec that should be recognized in the forthcoming Constitution.

Any hope that Quebec independence and/or nationalist sentiments can be placated by transferring a laundry list of demands in the Allaire report to the province of Quebec is at best wishful thinking. The fact is that attempts to placate

Quebec by transferring federal powers to it and by dismantling the federal system of Canadian government through devolution to the provinces will not satisfy Quebec independence-seekers. Indeed, this kind of political deal-making, dear to Mr. Mulroney and his Meech Lake cohorts, has only served to whet the appetite for independence of M. Parizeau and his followers. Quebec says that they would like to be independent of Canada in all matters except that they would like to continue the use of the Canadian dollar and that a joint central bank and a customs union must be part of their independence.

The time has come, Mr. Chairman, for Quebec to bite the bullet in the matter of choosing independence, but if they should so choose, why should the rest of Canada share the control of our central bank and currency and of our monetary policy with another country? If Quebec opts for independence, it must be just that. The province of Alberta would be foolish to offer them the Canadian dollar and access to the central bank of Canada. Our current political leaders must make it clear to Quebec that their independence, should they opt for it, cannot include some sort of political deal concocted in the style of the Meech Lake objectives. Should Quebec become an independent nation, it will find itself as a single French-speaking country surrounded by two English-speaking countries.

The present Constitution of Canada and the Charter currently contain clauses which protect linguistic rights and have clauses to accommodate Canada's traditional bilingualism. This country has excellent national institutions which have helped to make it the envy of much of the world. Those who would seek to destroy Canada's institutions or reduce to uselessness such important factors as the CBC, with its national mandate, and the health care system of Canada, the envy of thinking people in the United States, are doing this nation no good. This kind of nonleadership, inspired perhaps by the Reagan administration's puerile example, may have had its way in Canada. I refer there, of course, to the states' rights approach of Mr. Reagan and his followers. It may have had its day in Canada. However, Quebec must be left to make up its own mind as to what it wants to do or what it wants to be, and Quebec's own leaders must be honest enough to clearly tell their citizens what independence will, in fact, mean for them.

9:10

I recommend that the government of Alberta support the concept of a special status for Quebec in the new Constitution. However, if Quebec opts for independence rather than redefined status within a new Canada, we must not support any scheme to keep Quebec in Canada by undermining our own federal institutions. Several major issues now face Canada, and they must be addressed. I will now proceed to a few of these. I do not mean, Mr. Horsman, that this is some kind of exhaustive list; I touch on only a few.

Aboriginal rights. One, self-government proposals. A variety of responsibilities should devolve to the Indian communities. Such institutions as schools, health care, and social services should be under the direct control of Indians. For practical purposes the department of Indian affairs should be sharply reduced; at the most it might have a co-ordinating function and be a clearinghouse for ideas if the Indian people wish this.

Provincial status; that is to say, for the Indians of Canada. Close examination of this proposal is, I believe, unworkable. I don't even want to discuss it as a realistic idea. I think it's a foolish idea, and I don't want to waste my time or yours.

Sovereignty. Sovereignty of current Indian reserves is at best a misnomer. This term has specific meanings in international

affairs. If it means more responsibility devolving to Indians through the present band system, this has been accomplished to a minor degree, and much more can be done. If Indians want to be completely independent of Canada, hence sovereign, then no further financial aid or support should be expected by them from Canada. Their best hope must lie through education and training to enable them to compete on a much more equal footing with other Canadians. Abuse of the environment through irresponsible operation of industries which pollute their – that is, the Indians' – water and air must cease. Many Indians do not live in an urban setting and do not wish to.

I'll touch on Canadian regionalism and draw your attention to it in my paper, but I wish to go down to item (c), official languages. I see no reason why Alberta, with a very small French-speaking population, people who actually live in the French language, should adopt bilingualism. However, programs to provide French-language instruction in the school system should continue to be given good support where requested. Demanding French/English bilingualism in a wide variety of occupations even where very small French-speaking minorities exist is, I believe, counterproductive. It provokes more resentment than any benefit which may accrue.

If I may move down. The government of Quebec has made it abundantly clear that there are strict limitations on the use of English in Quebec, but I would not recommend that the government of Alberta adopt official English unilingualism. While this might placate anti-French sentiments among some citizens, it would do nothing to bring Canadians closer together.

I'll ask for your attention to point (d). You may read it. I won't go on. I touch on immigration policies, and I urge the government of Alberta not to try and seek provincial powers in immigration. I think it will make a hodgepodge if all the provinces do this. I mention, if you'll notice, under section 2, diplomacy, the use of Canadian houses across the world.

Now I wish to move to section (f) quickly, please. The constituent assembly, council of state, and referendum. The constituent assembly is one of the ideas which seems to be gaining momentum. Certainly it appeals to some people who have completely lost faith in many of Canada's elected politicians. Those who were closely associated with the Meech Lake process stand a good chance of being ousted from office by the electorate should they present themselves for re-election. The question of the legitimacy of a constituent assembly and the difficulty of electing its representatives in a superheated atmosphere might well cancel the benefits which would flow from it. Such an election could easily produce a disproportionate number of vengeful zealots, with reference to Quebec, who lack in fact any real expertise in constitutional matters or the skills of government.

Please look down to council of state, Mr. Horsman. This concept has the advantage of being able to use a chosen selection of present members of the House of Commons and Senate from all major parties. In addition, it could include and must include a careful appointment of constitutional experts from across the country who have proven academic expertise on the matter of constitutional law. Several of these competent persons have already been called as resource persons by the Edwards-Beaudoin joint House and Senate committee. The council of state concept can be implemented with much less time and much less danger of failure, as it must involve leaders and members from both sides of the House and from the Senate and from academia. It would not lack credibility or timbre. After all, there is a time limit of autumn 1992 in which to bring

forward viable recommendations and have them approved by referendum.

I think I'll stop reading there, Mr. Chairman, and draw your attention to one more idea. I do not believe that a referendum is necessarily a part of the council of state procedure. A vote of the House of Commons, perhaps a free vote, would serve just as well because it would still have legitimacy. I'm not certain that a referendum produces clear answers. I draw your attention to Mackenzie King's famous use of a referendum regarding the matter of conscription. At the end of it he said that it meant "not necessarily conscription but conscription if necessary," which reminded me of the Romans reading chicken entrails. It wasn't a clear message. So I don't believe that we should put a lot of faith in the referendum process necessarily. It may be held in a superheated atmosphere where a clear answer or even the best answer may not be provided. I do believe the council of state, depending heavily on a multiparty representation and with the use of properly qualified constitutional law persons and others, should be the route to go. Although I'm well aware that you don't need reminding – you're better informed than I am – I remind the committee that there is a time limit. While it's not chiseled on stone, it's nevertheless there, and we can't ignore it.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Brown.

Questions or comments? Yolande Gagnon, Jack Ady, Fred Bradley.

MRS. GAGNON: Thank you for your presentation, Mr. Brown. Yesterday when we were in Camrose, we heard from Roy Louis of Hobbema, who talked about the department of Indian affairs. You're suggesting that it be reduced and become a clearinghouse for ideas and information. Just let me tell you quickly that I asked him the question: should we get rid of the department? He said not until the natives are totally satisfied that they have had their treaty rights recognized and that they are a constitutional group. How would you react to that?

MR. BROWN: Mr. Chairman, Mrs. Gagnon, if you read my paper carefully, it doesn't say that we would reduce it immediately. I'm suggesting that once many of its powers are devolved to the Indians themselves – and I've enumerated a few of them – then its function would be much less than it is now. I also see it as a clearinghouse for ideas and so forth. I don't think it should be abolished, but I think that its function will diminish as the Indians of Canada have powers devolved to them from it. Okay?

MRS. GAGNON: Good. Secondly – I guess it's a remark more than anything – you mentioned that Alberta should not adopt . . .

MR. BROWN: Unilingualism.

MRS. GAGNON: But it already has through Bill 60 in 1988, in fact. My understanding is that Alberta is a unilingual English province. That has already been done.

MR. BROWN: Thank you. That might be one of the things, Mr. Chairman and Mrs. Gagnon, that the government of Alberta might reconsider in the construction of a new Canadian Constitution. I see no particular value to that kind of legislation in Alberta except as a goad for Quebec and a way of placating, I

think, emotional anti-French feeling in Alberta. I see no virtue in antiethnic feeling, whether it's in Quebec toward English speakers or in the west toward French speakers. I think it's a negative concept, and the government of Alberta I think acted wrongly in doing that.

MR. CHAIRMAN: Mr. Ady.

MR. ADY: Thank you. Mr. Brown, you put forth some very thought-provoking concepts, one of them dealing with special status for Quebec. I have to go back to the three-year process of Meech Lake. In the final year or so of that process the message came through to us as politicians, I think across Alberta, that the big concern with the Meech Lake concept in Alberta was the distinct society clause, as opposed to the other four clauses that were contained in it. Now, during these hearings we are often hearing that Alberta should not be taking a position to give Quebec any type of special status or distinct society, that we should be shying away from that. You're advocating that they should receive special status. I don't have any quarrel with you taking that position. I just have to ask you the question: how would we as an Alberta government ever sell that concept to Albertans when they can't even accept a distinct society clause?

9:20

MR. BROWN: Well, the public discussions, such as they were, which went into the Meech Lake process I think it's nationally admitted were insufficient. It did hear from special interest groups and people who had a burr under their saddle. Jack, you'd know the meaning of that term. What I'm saying is that I think in the remaking of the proposed Constitution, if we don't want to use the term you have just used, we have to recognize that Quebec is vastly different as a province from the rest of Canada's provinces: a much different history, different civil law, and I've enumerated some other things. To say that we're willing to recognize those things is rather like saying you're willing to recognize an elephant at a circus. It's there. You don't have to admit or give . . . You're not giving away anything. This term that you've mentioned has become an emotionally charged term. So I say let's recognize the fact that they are a special province with a different history, different laws, and a variety of cultural differences. That doesn't mean that we're "giving in to them." But we must not give in to heavy anti-French, anti-Quebec feelings in Alberta. J'ai étudié le français à l'école. Je parle en français un peu, et je lis en français. But that doesn't mean that I live in French, nor does it mean that I am overly sympathetic to the French people. I simply think that if we want to keep Quebec in Canada, we must recognize some of their special qualities and must not go down the road with anti-French emotionalism. It is, I believe, totally counterproductive, sir.

MR. CHAIRMAN: Gentlemen, we now have a long waiting list of questioners. We've gone past the 15 minutes allotted to this gentleman. There are a number of additional presenters in the audience, and as you look at our schedule, you will see that today we're proposing to see 15 presenters. I just urge you to keep your questions brief and your responses brief as well.

MR. ADY: I gather, Mr. Chairman, that you'd like me to forego my supplementary. I'll do that.

MR. CHAIRMAN: No, I'm not suggesting that. But unless you want to be here at 3 o'clock this afternoon, I would suggest that we try and keep our questions and answers very brief.

MR. BRADLEY: Thank you, Mr. Chairman. I had two questions; I'll cut it down to one.

You brought forward the idea of a council of state. Currently in our Constitution we require the ratification of the provincial Legislatures in terms of amending the Constitution. Do you see any role for provinces in your council of state? What role would you see for provinces?

MR. BROWN: Frankly, no, except on a very important consultative basis. We have already had the role of the provinces in the Meech Lake process. I think now we ought to take another approach.

MR. BRADLEY: However, to ratify a constitutional amendment, you still have to go to provincial Legislatures. If you leave provincial Legislatures out of your process in terms of drafting your Constitution, they will feel left out, and when it comes to the ratification process, if their concerns aren't addressed, they're not likely to ratify the document.

MR. BROWN: Well, I think they would ratify the document if the council of state process were held and if a vote of the House of Commons was then made on the basis of the findings and recommendations of the council. Then it could go to the provincial Legislatures, and they might do with it what they wish. What the provincial Legislatures must remember, Mr. Horsman, sir, is that we're past the point where we must act as provinces. We've got our backs to the wall and we must think of what is best for Canada, not what's best for Alberta or New Brunswick or whatever. I think we're now being called to stand up for this country. We are, I think, Canadians first and Albertans second.

MR. CHAIRMAN: You've made your point, I think. Thank you.

Pam, did you wish to get in?

MS BARRETT: Actually, Fred got mine. Thanks.

MR. CHAIRMAN: Okay. Thank you very much.

MR. BROWN: Thank you, all.

MR. CHAIRMAN: Peggy Morton is here now, I believe.

MS MORTON: First, I'd like to make a small correction. I'm representing the Communist Party of Canada (Marxist-Leninist), the Alberta regional committee.

MR. CHAIRMAN: Excuse me. Go ahead. I'm sorry.

MS MORTON: Thank you. Chairperson, members of the committee, the working people form the vast majority of Canada's population. By "working people" we mean all those who make their living through work, whether it's workers, farmers, small fishermen and trappers, as well as those from the intelligentsia, professionals, and others whose living is derived mainly from their work. It is working people who create and produce everything, and in a truly democratic society it is they who must shape their own destiny. A truly democratic Constitution will be one which has been decided and agreed upon by this

majority and which enshrines the rights and duties of the people in the Constitution.

On one question there is widespread agreement in Canada: the present Constitution is not working for the people. The Constitution of a Democratic country must be a source of unity amongst the people. Sadly, however, the process, discussion, and debate over the Constitution has not served as a unifying factor; far from it, it has become a source of disunity. The Canadian people have expressed their profound dissatisfaction and disagreement with a process where 11 men can discuss the future of the country and barter over a new Constitution in secret.

In 1982 the Constitution Act was adopted and it was said that Canada now had its own Constitution. As we know, Quebec was not part of this decision. But this was not the only problem. The Canadian people were also left out. This process is a continuation of the events of 1867 and afterwards. The British North America Act which forms the basis of today's Constitution was never agreed upon by the people. In fact, the union of the provinces was carried out despite popular opposition, particularly in the maritimes. The prairies were annexed through a sale by which the Hudson's Bay Company gave up its territorial claims in return for 300,000 pounds. John A. Macdonald wrote in June 1869: we have quietly and almost without observation annexed all the territories between here and the Rocky Mountains. The lesson of the failure of the Meech Lake accord is that a continuation of old methods cannot solve the constitutional crisis. What is needed is the repeal of the BNA Act and elections to choose delegates for a constituent assembly to draft a new Constitution. We do not consider that the problem in Canada is Quebec or that we have problems because of a natural animosity between the peoples of the east and west or on the basis of any other such division. The problem resides with the British North America Act itself. The unity which the people seek can be found only if the BNA is repealed and a truly democratic Constitution decided by the people replaces it.

Why should the Canadian people retain a colonial Act which was never decided by the people, which does not guarantee equal rights and duties, which does not recognize the rights of the nation of Quebec and the hereditary rights of the native people, and which does not guarantee equal rights to women? This will not assist in providing fundamental rights. It will not unite the people. It will not solve any problems. Historically, constitutional debate in Canada has not centred on the rights and duties of the people; rather, it has centred on the question of division of powers between the federal and provincial governments. At this time, this finds expression in such ideas as demanding more power for governments at the provincial level while the federal government's power will be diminished. Whether the power resides in the hands of the federal government or the provincial governments, there's a basic flaw in this democracy. That flaw is that those who elect in fact do not govern. Such a conception is a denial of the democratic rights of the people.

The new Constitution must enshrine these basic democratic rights and principles, including the rights of nations to self-determination. The Constitution must recognize and protect the hereditary rights of the native peoples of Canada. Our party recognizes that Quebec is a nation constituted by all people who live in its territory. The nation of Quebec has the right to self-determination up to and including secession, and this question must be decided by a referendum of the people. Quebec cannot be viewed as a province amongst the provinces, and the democratic right of Quebec to self-determination cannot be upheld by

demanding that all the provinces have increased powers while the power of the federal government is diminished. This is not the issue. The issue is that power must reside not in the governments at various levels but with the people.

9:30

The new Constitution must enshrine certain inviolable rights including the sanctity of the individual and the equality of all citizens and residents in Canada. All forms of discrimination must be banned, and the rights of women must be explicitly established in the Constitution. The reasonable limits provision in the Charter is not acceptable because it permits the governments to exercise limits on the inviolable rights of the people. All discretionary powers of any level of government or the courts, including the Supreme Court, should be ended. The only authority recognized for amendment of the Constitution must be the people through their broad participation.

The new Constitution must also entrench a new popular democracy in the basic law of the land. Fundamentally, electoral reform means ensuring it is the working people who mainly comprise the Parliament while also ensuring they have the opportunity to elect those who are the best. To this end we propose that in order to establish a new popular democracy in which the people can exercise their sovereignty, constituent assemblies be established.

By their very nature political parties represent and advocate specific policies and interests, and as such they cannot be considered representative of the overall interests of the society, of the collective interest. Therefore, we propose that constituent committees be established to organize the selection and election of candidates and the recall of elected members who do not perform their duty according to their mandate. The electoral reform must also ensure that no individual political party or interest group can finance candidates. The constituent committees financed by the federal government will ensure that the views of all candidates are presented to the electorate during selection and election. The Parliament should also be expanded.

We respectfully request that the committee adopt our recommendations for repeal of the BNA Act and the election of a constituent assembly to draft a new Constitution and for electoral reform. Without taking this step, no problems can be resolved.

Thank you.

MR. CHAIRMAN: Are there questions or comments? Yes, Fred Bradley.

MR. BRADLEY: You have an interesting suggestion that we repeal the current Constitution and then have a constituent assembly. What do you do in the hiatus in terms of the constitutional law of the country while your constitutional assembly is meeting? Wouldn't you have to have some continuity clause until you were able to arrive at a new document?

MS MORTON: I think if we can agree that the BNA Act should be repealed and a new Constitution should be decided by the people, by election, by a constituent assembly, we can also sort out this problem. We don't come with a proposal in which all the t's are crossed and all the i's are dotted, because fundamentally what we are saying is that the constitutional crisis has to be decided by the people. So we have various proposals on these things, but I don't consider this a fundamental question.

MR. CHAIRMAN: Pam Barrett.

MS BARRETT: Thanks. Peggy, why is your party so insistent on repealing the BNA Act? Why are you so determined that it couldn't be amended to suit the public agenda?

MS MORTON: I think I explained that. We have a Constitution which was not agreed upon by the people, which was not decided by the people, and which does not begin with the fundamental basis that the issue of the Constitution is the rights of the people. The BNA Act historically is a question of a fight over . . .

MS BARRETT: Jurisdiction.

MS MORTON: . . . jurisdiction.

MS BARRETT: I know. I heard that.

MS MORTON: So we need a whole new Constitution, and we need a broad discussion amongst the people of what this Constitution should have in it. It has to begin from this basis. The whole process we have gone through has shown that there is no resolution without this.

MS BARRETT: Well, if you can amend a Constitution and amend a Charter of Rights which had brought in for the first time ever collective rights and for the first time ever specific rights for women, for example, I don't understand why you couldn't continue that process along with the process you're talking about, which is public participation and ratification.

MS MORTON: I think the fundamental issue here is that we are saying this question has to be decided by the constituent assemblies. Now, how can you say to the constituent assemblies that we have taken the stand in Canada that we agree that we need a new popular Constitution, a new popular democracy? I'm quite sure that you read the opinion polls as well as we do. Just before the beginning of this year an opinion poll was taken, and 11 percent of the people of Canada said they were happy with the existing situation. Is this not enough reason to say that we should begin by drafting a Constitution which starts with the basic rights of the people? If you have a Constitution which doesn't start with the basic rights of the people, then you have to begin again. That's essentially what we're saying.

MR. CHAIRMAN: Well, thank you very much for your presentation. The idea of . . .

Oh, sorry, Bob. Did you want to get in?

MR. HAWKESWORTH: Could I maybe just ask one question, Mr. Chairman? Before you go, Peggy, you mentioned that in order to organize a constituent assembly, you'd have to begin with constituent committees. I'm just wondering how those would be organized. What's the first step here in order to get to the constituent committee? How do you see that working?

MS MORTON: What we are proposing is that there should be a reform of the electoral process whereby in every constituency – and we're also proposing that the constituencies be much smaller, that there be far more to enhance public participation – the constituency assemblies should be in charge of carrying out the selection of candidates and the three candidates who receive the most votes will then be the candidates in the election, and all the finances will be taken care of by the constituent assembly.

It's a very well known fact in Canada that those who cater to those with money, influence, and power – and this is the way political parties are organized in Canada – have the advantage in the elections. We think that in order to have truly democratic elections all the candidates have to be on an equal footing. So we're suggesting that there first be a selection process and those candidates which have the most support amongst the people then become the candidates in the election, and that no one can be elected unless they have at least 50 percent of the people in the constituency actually voting for them.

MR. CHAIRMAN: Okay. The idea of a constituent assembly has been fleshed out a bit by you in your comments. Would you agree that in the end, once you have elected the members of the constituent assembly, you now have elected another group of politicians in effect? How long would they be in existence as a constituent assembly, this new group of political leaders?

MS MORTON: We're not suggesting that Parliament won't exist as it exists now, although we want it on an enlarged basis. We also include the right of recall, that any 10 percent of the electors can suggest recall.

MR. CHAIRMAN: You missed my question.

MS MORTON: You mean: will they run for a four- or five-year term as it is now? Is that what you're asking me?

MR. CHAIRMAN: No. Would the constituent assembly just be in existence long enough to draft the new Constitution and then cease to exist?

MS MORTON: No. The constituent assemblies, at the constituent level, will also be permanent bodies in charge of selection of candidates of the elections and of the process of recall.

MR. CHAIRMAN: Okay. It's very important to know that is your view. Thank you very much for your presentation.

MS MORTON: Thank you.

MR. CHAIRMAN: Bronwyn Shoush.

MS SHOUSH: Good morning, everyone. I've come today to speak on the federal structure of Canada as opposed to looking at the Canadian Charter of Rights and Freedoms and the relations it has between the citizens and government. I think if we don't have a sound federal structure, we may no longer have a country, and the rights that we have in the Charter will be a moot point. So I'll start there.

9:40

I would like to see in the Constitution the notion that Canada is a voluntary union of equal provinces in a federal state and that this be a fundamental characteristic of Canada.

Next, I think that we've heard quite a bit recently about a strong Canada meaning a highly centralized Canada. I would disagree with that notion. I do not think that a strong Canada necessarily means a highly centralized Canada. We can look to the example of the Soviet Union, one of the most highly centralized unions in the world, and see that its highly centralized structure has, in fact, been one of its downfalls, and it is now moving towards massive decentralization in an effort to

save the union. I think there is a good deal that we can learn from looking at the Soviet constitution and the problems that they are facing now.

I've heard others point towards the European Economic Community and the fact that Europe is coming together at a time when Canada is looking at perhaps breaking its ties with various provinces. I think that while the European community is coming together for purposes of trade and international trade, regional entities within the community are certainly strengthening their position to be able to deliver services to local majorities. I don't see a move by Britain, for example, to give up its right to deliver services to its own people. In fact, it's going out into the municipalities. There is a move towards getting delivery of services at local majority levels rather than at national or international majority levels.

The next point. I think many Canadians are very concerned about accountability, about who is responsible for what legislation, what program, what policy, and exactly who is responsible for paying for it, for collecting taxes. This, I feel, has been a major problem in Canada in the past. The use of the federal spending power is found nowhere in the Constitution, yet the federal government has used its ability, the power of the purse, to collect taxes and then used those taxes to, I would say, interfere in areas of exclusive provincial legislative jurisdiction. I've written a paper on this, and I'll just read you the conclusion that I put in. This was a paper for advanced constitutional law that I took at the university.

The spending power has been used on a massive scale to provide payments to individuals – for example, family allowances – to institutions, universities, municipalities, through Canada Council grants and to provinces through unconditional and conditional grants. It should be remembered that this spending is all done in areas in which the federal government has no legislative jurisdiction, so it is using the power of the purse to guide and influence events and policies over which it otherwise has no control. There are a large number of concerns with this kind of action, especially in view of the huge national deficit Canadian taxpayers are constantly asked to remember every time taxes are increased. One of the concerns is that by use of the federal spending power, Parliament and the national majority sets priorities and essentially determines policies over which it has no jurisdiction. It's easy to see how this is of concern of the province of Quebec, which is entrusted with the preservation of its distinct identity, of its culture and language, in a sea of North American Anglophones. It should also be a concern for other provinces. As Professor Alan Cairns has stated:

In the long run centralization was inappropriate for the regional diversities of a land of vast extent and a large geographically concentrated, minority culture.

One of the advantages of a federal system is that there is potential for social experimentation in the provinces. New programs can be pioneered which, when their worth has been established, may commend themselves to other provinces. At the national level such change comes more slowly. Experimentation and innovation are more likely to take place where provinces are closely tied to their electorate. For example, the province of Saskatchewan and its medicare; they brought medicare to Canada. It wasn't the federal government which did that.

It might be interesting for you to hear this quote and then perhaps guess at who said it:

A fundamental condition of representative democracy is a clear allocation of responsibilities: a citizen who disapproves of a policy, a law, a municipal by-law, or an educational system must

know precisely where it is so that he can hold someone responsible at the next election.

For unitary states such as the United Kingdom, this condition is a relatively easy one to meet. Since Parliament has absolute sovereignty, all the country's laws emanate from it, and its members are answerable to the electorate not only for what they accomplish for the general welfare, but also for what they fail to achieve despite their complete legislative powers.

In a federal state such as Canada, the situation is more complex. The exercise of sovereignty is divided between a central government and ten regional governments which taken together, constitute the Canadian state, and each of which must ensure a certain part of the general welfare. Since the same citizens vote in both federal and provincial elections, they must be able to determine readily which government is responsible for what; otherwise the democratic control of power becomes impossible. That was a speech by Pierre Trudeau when he was a professor, before he became king and before he instituted the national energy program.

So the point I'd like to say is that provincial governments should have the right to collect taxes in the areas for which they have jurisdiction, not the federal government doing it for them and then offering them cash back either by direct or indirect grants to institutions, individuals, or conditional or unconditional grants to provinces.

On the question of municipalities I heard recently that some are proposing that municipalities have some kind of constitutional rights. I think it's quite important to tread on that one carefully. The experience in the U.S.S.R. has been quite interesting in that respect. We have municipalities with expanding borders. Nobody knows where the borders of the municipalities end, whether municipal airports that become international are in the jurisdiction of the municipal or the union republic level or the U.S.S.R. level. There are all kinds of problems with that.

I was very interested in the comments that Roy Louis made yesterday about aboriginal people, and I share many of those with him, as an aboriginal person. I think that governments in the past and Canadians, generally speaking, have not behaved responsibly towards aboriginal people. The Indian Act is one part of the problem, and it certainly needs to be redressed. When the needs of Indian people are addressed, that could go, but there are also Metis people and the Innu who should be remembered.

I hear the bell so I'll move on quickly.

I'm fairly concerned about the steps the federal government has taken recently on the environment and on the question of national standards. I consider those to be Trojan horses that the government is using to move into areas of exclusive provincial jurisdiction. I had the opportunity to attend the Supreme Court hearing on the Oldman River dam case in Ottawa, and I'm anxiously awaiting the decision there. The environment is an area that is not a discrete and insular area that can be put under any head of authority, under either federal or provincial jurisdiction. It has to be something developed through consensus, through a Canadian consensus, not a federal government edict or provincial government edict but something that needs to be worked out by consensus among the provincial and federal players at a constitutional table or, indeed, at the yearly conferences on it.

The same, I would say, for national standards. When we talk about national standards, I don't think we should think of national as something belonging to the federal government. I think national or Canadian should belong to Canada in all its parts, to us citizens as Canadians and as provincial citizens. We

should look to both levels of government to decide what kinds of standards they will be and set them as minimum standards and not prevent provinces or other areas from setting higher standards if they should so wish.

The amending formula, the Meech Lake accord which was intended to bring Quebec in: I supported it very strongly. I feel that the amending formula we have is a good one. There were many reasons the accord failed. Perhaps in the future, if there is going to be the accord route followed, I think it would be worthwhile to put those clauses which require two-thirds, 50 in one accord and those which require unanimity to be placed in a separate accord, so we don't have mass confusion among the population on that issue.

9:50

On the question of constitutional conventions, after looking at the Australian experience, the American experience, and our own Canadian experience, I think we should take great care in following that route. Australia has had quite a number of severe problems in amending their Constitution. They have mandatory referendums as well, and states use these as opportunities to get back at the Commonwealth government. The American experience and the Canadian experience: we saw, when they worked in constitutional conventions, that the parties that were members of the convention all seemed to have fairly similar kinds of backgrounds. They were all middle-aged white men who had business interests, who had similar kinds of backgrounds, histories. I think Canada is a much more diverse country now, and if we have a constitutional convention which is going to take all of these diverse interests into account, we're going to have so many players at the table, first of all, who may or may not just be bringing individual agendas to the table. This can make it into a very long and drawn out process and difficult to achieve consensus.

I would prefer to let our elected members in the Legislatures and Parliament be our convention. They are accountable and responsible to the electorate, whereas members of a constitutional convention are in effect accountable to nobody. I would prefer to put my fate in the hands of those who will be accountable to me.

On Senate reform, I believe that is very important to Alberta, and it should be important to other provinces as well. If we don't get a triple E Senate, I think there should be some kind of a mechanism in the Constitution which provides for federal/provincial constitutions on the economy and on economic development to mandate this kind of treatment.

On the notion of two founding peoples in Canada, I think that idea should be dropped. Aboriginal people were here first, and if anybody is to be mentioned as a founding people, it should be aboriginal people.

I believe language and culture should belong to local majorities, not to national majorities.

I'll stop there. I have noted up my copy of this dear old Constitution with some proposals that I would submit for changing. All I would like to say in the end is: je me souviens que, née sous la rose sauvage d'Alberta, je crois avec la fleur de lis du Québec au Canada – I remember; I will never forget that I was born under the wild rose of Alberta, but that I have grown with the fleur-de-lis of Quebec. It's been an ally of Alberta's.

Thank you.

MR. CHAIRMAN: Thank you very much, Bronwyn.
Pam Barrett.

MS BARRETT: Yes. On the subject on which you dwelled for some time, relations between federal and provincial jurisdictions, I wonder what you have to say about federal and/or provincial funding of multiculturalism activities, a subject which has also been raised many times at this table.

MS SHOUSH: I think in the area of multiculturalism, if the federal government has a responsibility there, perhaps under section 15 of the Charter, Equality Rights, although it may very well be a provincial jurisdiction, I would say that multiculturalism funds should be used to address the problems of inequalities among citizens, to address questions of racism and equity, not be used to address other issues such as culture; say, song and dance things in multicultural groups. I think those groups have the same rights as the so-called mainstream culture: ballet, symphony, and so forth. All aspects of culture should be included in funds that provinces or the federal government use to develop culture in Canada, but I would prefer to see that under provincial jurisdiction.

MS BARRETT: Thank you.

MR. CHAIRMAN: Bob Hawkesworth.

MR. HAWKESWORTH: Thank you. Again sort of in this area, the Quebec Liberal Party has adopted this proposal from the Allaire report that contemplates some pretty massive devolution, basically that the provinces maintain exclusive jurisdiction in those areas that are identified currently in the Constitution as well as shared areas of responsibility, and that the federal government sort of vacate those areas of jurisdiction. How far do you think we should go in terms of accommodating that particular view of Canada? You expressed a fair amount of sympathy for a provincial point of view on this, especially Quebec's point of view. Do we go all that way, or is there some point at which we've gone too far? Or do you really essentially endorse the Allaire report?

MS SHOUSH: Well, I have gone through the division of powers, and I think one area that we could look at besides suspending power, because that has been a major irritant to Quebec and other provinces, is the use of the peace, order, and good government clause in section 91. The federal government has used that in the past to interfere in provincial jurisdictions. I think if that area was addressed and section 91(3), taxing – I think if provinces have the right to collect taxes in any way or mode, not just direct taxes, that also would be a help.

I have some sympathy for the idea of moving fisheries towards provinces. Section 92 – well, the taxation power; I think local works and undertakings. I disagree that the federal government should have any right to go into a province and declare a work to be for the general welfare of Canada or two or more provinces and thereby take jurisdiction over it. In section 92A(3), the federal government paramountcy on natural resources legislation there: I would say no to that.

Section 102, the consolidated revenue fund to be appropriated for the public service of Canada: I would say that should be restricted to areas within federal jurisdiction.

In the 1982 Constitution, the equalization payments, I think the federal government – certainly that should be a head of power that it has, but the use of equalization payments should be something negotiated between the provinces and the federal government and agreed to on a consensus.

I have some sympathy for the idea of decentralization, as you've probably guessed. I think local majorities are very often very capable of making sound decisions as to the way their future should be developed, and I don't know that we need to rely on the national majority, which to me means southern Ontario, to decide what's best for Alberta.

MR. CHAIRMAN: Thank you.
Fred Bradley, Yolande.

MR. BRADLEY: What is your feeling with regards to Senate reform and the triple E Senate? Do you feel that's a model which we should be pursuing?

MS SHOUSH: Yes, certainly I do, but I also recognize that if we have a triple E Senate, the powers of executive federalism will be diminished, I think significantly. The ability of the Premiers of the Legislative Assemblies to go to the constitutional table will probably then be somewhat diminished, so I think we should take care and remember that.

MR. BRADLEY: I think the proponents of that recognize there is a trade-off in terms of the triple E Senate in that area.

The other question I had was just in terms of the paper which you produced in terms of the federal spending powers. Is that something you're going to leave a copy of with the committee?

MS SHOUSH: I'll get a copy and bring it back, yes. I wanted to get it photocopied before I brought it.

10:00

MR. BRADLEY: I think the committee has the ability to do that here, does it not?

MR. CHAIRMAN: Yes. I think we can look after that.

MS SHOUSH: Okay.

MR. CHAIRMAN: Yes, Yolande.

MRS. GAGNON: Yes, just very quickly. You said that national standards was a bit of a red herring and a way for the federal government to grab more powers. Wouldn't you be concerned, though, if you moved, let's say, from Alberta to P.E.I. or Nova Scotia – they're quite poor, so their standards have gone down – that you couldn't maintain the same level of service, for instance, in postsecondary education or in health? How are we to make sure there are the minimum standards at least?

MS SHOUSH: I think section 36 of the 1982 Constitution Act provides for equalization payments. The federal government can use equalization payments by giving cash grants to provinces to decide their own priorities: not to have direction from the government as to what kind of programs they should be having, but let these provinces decide what their goals are. I think Canadians across the country are going to say that. We are going to demand education, health care, social services. I don't think there's a province in Canada which will say, "Well, we don't want those kinds of things." The electorate will take care of any government that is interested in dropping those programs, and I think they'll set the standards that they feel are right for themselves.

MRS. GAGNON: Okay. You mentioned that you didn't like the use of the phrase "two founding peoples." I agree with you. I heard Max Yalden say at least 10 years ago when he was Commissioner for Official Languages that we should drop that term, two founding peoples, and instead talk about majority linguistic groups, you know, based on the numbers idea and then minority rights within those groups. Would you agree that that's a better way to handle the issue of linguistic duality?

MS SHOUSH: No, I wouldn't. I don't think we should even be considering linguistic duality in this country. I think language should be an area that is under the jurisdiction of the provinces. The idea that we should say that there is one language which is dominant and one language which is subservient or a minority language: I don't think there's a place for that in Canada. When European settlers came here, they didn't take into account the dominant language of the day of whatever was the dominant Indian group and say, "Well, right; we'll let you have those rights." In fact, those languages were wiped right out.

MRS. GAGNON: What would you do, then, about educational linguistic rights for any language or heritage?

MS SHOUSH: I would say they belong to the province. Let the province decide. If I go and live in Quebec, I make the choice that I will agree to live under the laws that they have with respect to their jurisdictions.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Thank you very much for your thoughtful consideration. We would like to have some of your material put forward so we can share it with the other panel, which is now, as I say, hearing presentations in Hinton.

Brian Toole. Welcome, Mr. Toole.

MR. TOOLE: Thank you, Mr. Chairman and members of the panel, and thank you very much for the opportunity to come before you.

I'm here today as an individual, and I'm bringing some ideas. I'm coming to support several of the speakers I heard on Saturday. I thought that there were some very provocative or thoughtful things coming forward. So in my presentation I'm here just to bring some articles and information to the attention of the panel which I think would be of value and I want you to consider.

It may appear to be fairly broad ranging, and I'll get into that, but I'd like to start with a short quote from Robert Bateman. We know that he's a wonderful artist, and I think he also writes some things very well.

In art and science we are now in a delta, at the end of the long flow of progress. In a delta there is no clear direction but there may be many choices. The best we can do is to enjoy the choices that we have and to be genuinely and creatively eclectic.

The concern that I want to bring to the panel is that I think in your deliberations you should take very much a prospective or a looking-ahead view as to what Canada is going to be 25 and 50 and a hundred years from now. It's useful to look at what has happened before in terms of history, and we must take that into account, but if we chart a course based on past action and past rights and past agreements, that might exacerbate the problems that we have.

So my perspective is a little different from other speakers. I think that the Constitution of Canada has to be very cognizant

of what's happening elsewhere in the world, and I would suggest that other nations with much larger populations do have very clear plans as to what they're going to be doing over the next 25 and 50 years. It's really important that we take those into consideration in drafting the Canadian plan or the Canadian agenda.

The value of history. In a broad brushstroke sort of way, I think that our human species has evolved from hunting tribes through city-states to provinces and kingdoms to nation-states and that we're now going into a global reality. I have one quote from Bronowski, a book called *The Ascent of Man*. This is about one fellow who had the right idea but was punished terribly for it, and that was Galileo. In 1633 he came before a committee and said, "I just want you people to look through my telescope. This is the way I view the world." Under duress they took him down to the rack and they said, "No; sign this document," which said:

... to the effect that I must altogether abandon the false opinion that the sun is the centre of the world and immovable, and that the earth is not the centre of the world, and moves, and that I [will] not hold or defend

that point of view. I would suggest that that committee made a major mistake, that the scientific revolution left Italy, that Italy paid a tremendous price for that. I guess the church did offer an apology to Galileo sometime in the early 1980s.

I think I'd like to contrast that to what Elijah Harper did in our country last year. Let's just be very aware of the fact that in much of the world what he did would have been a death sentence. He didn't go along with the powers that be. I guess I'm just bringing that up to compare the history.

I'm confident that a solution can be found for Canada. If we correctly understand the character of this place on the planet and the people that inhabit it here, we can develop a natural strategic advantage which we have here in Canada that no one else on the planet does have. I'm suggesting that what we can do here in Canada is to allow a tremendous, rich discussion and debate to flourish. There are many issues which are difficult to define; they're difficult to bring forward. This is one place on the planet where that discussion and debate should be encouraged.

10:10

Specifically, I would like to bring forward the idea of the fact that most Canadians now live in large urban areas. What's happened this century is that we've moved from largely an agricultural society to an urban society. I just want to draw attention to the panel that a world-class convention was held in Edmonton in 1986 and that the leadoff speaker was a wonderful Swiss architect who threw out some real challenges in terms of the building of convivial, wonderful cities for people to live in. He says three points: for reasons of land conservation and of economy we must build compact cities; for reasons of good function we must build complete cities; for social reasons we must build complex cities. He says a great deal in a few pages in terms of throwing down challenges which I think Canadians should take up in terms of designing really good cities. We can then go and help people around the world build better cities.

In terms of dealing with the difficult issues, I'd like to draw the ... How's my time? This current issue of *Scientific American*, I think, has a very interesting one-page article by John Kenneth Galbraith, where in an essay he questions some of the great traditions of economics or what has been taught over the last 50 years about the sovereign role of the consumer. He finds that it's no surprise that the people that head up large corpora-

tions look after their own personal interest rather than the interest of the shareholders, and he suggests that:

The self-service of the management of the enterprise, not the service of the public, is the reality that the established doctrine conceals. Economic education then extends that concealment in colleges and universities.

He then talks about the military/industrial complex in the United States and how we thought that the Cold War was over and there was going to be a peace dividend, but the American military/industrial complex paused only for several months and pursued their interest of having another war. He ends this page by saying,

The pursuit by great organization of its own interest should now be central in our research, writing and instruction. If it is not, we are cooperating in a major and economically, socially and politically damaging exercise in concealment. Of this as scholars we must not be guilty. Rather we should welcome, not without pleasure, the sometimes stinging inconvenience of truth.

I'll wrap up here very quickly, Mr. Chairman. I guess I'm suggesting that I think there are economical, simple ways to deal with the so-called constitutional problem in Canada. I think it's a great opportunity to build a truly wonderful nation. I'm as a Canadian citizen very angry if these negotiations and changes are being done for the short term, the five- or 10-year advantage of certain parties that come to the table to negotiate them. I'm saying that if we don't really struggle and deal with the difficult issues, then future generations of Canadians will suffer from that.

Thank you.

MR. CHAIRMAN: Thank you very much.

Pam Barrett.

MS BARRETT: Thank you, Mr. Chairman. Who do you think should be drafting the next constitutional proposal? Should it be people who already occupy elected positions throughout the land, or should it be people who are elected to a constituent assembly for that specific purpose only?

MR. TOOLE: You're talking about the specific drafting of a document?

MS BARRETT: Yup. Drafting meaning working it out, making the proposal.

MR. TOOLE: I'm loath to have only the current set of politicians be involved in that. I'm concerned that in the drafting of this Constitution we're attempting to do something that was done in France or America several hundred years ago, that somehow in general terms we can solve some problem and therefore not deal in specific and real terms with other problems.

I just would like to speak briefly to one thing that I heard on Saturday about a gentleman coming forward and talking about love. This is just anecdotal evidence; I don't have the source for it. It's about a grade 1 teacher somewhere in the wrong side of Chicago earlier this century who loved her students. Apparently, all of her students turned out okay in life; not one of her students ever ended up in jail.

I'm not really so concerned about who drafts the Constitution; my concern is that they get it right, that they ask the tough questions and deal with the tough questions and bring forward a comprehensive, consistent package to Canadians. You know, we have televisions and fax machines; it's not a big deal as to how we communicate that. We should be able to do that, and

if that communication is clearly not being done, I become suspicious immediately.

MR. CHAIRMAN: Well, thank you. I think you're suggesting that the people who draft the Constitution should be people who love the country. You know, Canadians have been very, sort of, reluctant to wear their heart on their sleeves and to take the emotional approach that some did in our hearings, including the gentleman who talked about love on Saturday. Is that what you're suggesting?

MR. TOOLE: I'm not quite clear . . .

MR. CHAIRMAN: By using that anecdote that if you love your country and show it and work hard at it, you'll get the right Constitution?

MR. TOOLE: What I'm saying is that I'm sure people elsewhere in the world must be totally amazed to think that this country is breaking up over some language issues. I mean, it is preposterous. So what I am suggesting here is: are there some underlying assumptions; are there some real scientific issues or social issues which have not been fully taken on? The one example we have in Quebec right now: if they have huge family bonuses because they feel that they have a population problem, I guess I question how that decision was made in that society. To come back to love, I'm saying that this document which is being drafted hopefully will allow for conditions of love and debate and growth to flourish. If it's a comprehensive, difficult document where we need lawyers and specialists, people who, in our society, are not trained to deal in love, it's going to fail. I mean, there is a hazard here; there is a very real hazard.

MR. CHAIRMAN: Thank you.

Fred Bradley, quickly.

MR. BRADLEY: Just a quick observation and question. The Canadian constitutional tradition has been one of evolution. We didn't have a war to found our nation; it's been an evolutionary process. Both the American and the French nations were born in revolution, and their constitutional processes were revolutionary. So I guess the question is: should we continue on our evolutionary process, which is debate, discussion, and agreement, or should we throw aside what we have and move in a revolutionary process, which I think is one of the alternatives many are suggesting?

10:20

MR. TOOLE: Well, I think that's a good question. Have there not been some revolutions? Have the Parliament Buildings of Canada not been burned, and did we not have a Riel rebellion? I guess I'm suggesting . . . And did not Trudeau send the army into Quebec? I think Canadian history has to be looked at and examined in terms of if we've had peace, order, and good government. We haven't had an American type revolution, but I would suggest that it hasn't been an entirely peaceful history.

MR. CHAIRMAN: Well, thank you very much. I do think you should recall that the Parliament Buildings were burned all right, but it was an accident, not a result of an overt act.

MR. TOOLE: Okay.

MR. CHAIRMAN: Thank you very much for your presentation.

Albert Opstad. Welcome, Mr. Opstad. I know you sat through Saturday and listened to us. Welcome to give your presentation now.

MR. OPSTAD: Yeah. In fact, I listened Friday to a certain extent too. I want to thank you and all the members of this board for giving me this opportunity. Also, I hope the public behind can hear me okay. If you can't, make a noise. I've written my brief. It'll take me nine or 10 minutes to read it, so I'll just do that for you.

Re Alberta in a new Canada, we face a great challenge, but we also face a great opportunity. We should listen to what all Albertans have to say and not just to those with eloquent briefs or speeches. We should not select only those briefs which espouse our own views or listen only to those who similarly espouse our own views in speech. We should do everything possible to assure that everyone gets the fullest opportunity to speak or to present a brief.

It's time that we the English-speaking majority stand up and start running this country. We must immediately stop allowing our Francophone minority to run this country, to create all our laws and then translate them into improper English for us. We must immediately stop allowing our Francophone minority to stampede us around as we are allowing them to do now.

My major concern here is that the Alberta government shows it is prepared to give away to Quebec much more of Alberta than is fair and also apparently much more than Albertans want. The Alberta government should not continue to push its own views. It should wait until all Albertans give it direction. It should not push unity, nor should it go around saying that those who do not push unity are really bad and want to do something really bad like tearing Canada apart. The Alberta government should stand up for Albertans and not Quebecers like it is doing now. The Alberta government and many Albertans have said that they have a breaking point as far as the Francophone minority goes. None of them have stated where this breaking point is, very likely because they have not determined where it is. I will suggest where this should be.

The breaking point should be at the line that divides fairness from unfairness. Here are some examples. Since immigrants can live anywhere in Canada, it is clear that immigration should be more a federal matter than a joint federal/provincial matter. Agriculture can be made solely a provincial matter and need not be a joint federal/provincial matter. In immigration Quebec wants to have 5 percent of the total Canadian immigration added on to what its population percentage is. This is unfair and should be canceled. Quebec wants lower standards for Francophone immigrants than Anglophone immigrants. This is unfair. The total number of immigrants allowed into Canada each year should be made up from inputs from the provinces. Although based upon inputs from all provinces and territories, the final total should be based upon each province being allotted exactly in proportion to its population, no more and no less. If there's any problem with this partial federal/provincial proposal, then make it clearly federal.

The federal government should not be allowed to make any bilateral agreement with any single province. No such agreement should be allowed until all provinces analyze it and sign it. There should be no specific effort to maintain Canada's Francophone content at any particular level; rather, natural forces should apply. The subsidization of the production of Francophone babies in Quebec is unfair and should not be allowed. Quebec now gives \$500 for the first baby, \$4,500 for the second baby, and \$6,000 for the third and subsequent ones.

This is unfair and must be stopped, as it can be. Quebec should not be given 48 percent more of Canada's milk production. This is unfair. Some experts say that Canada was never legally created, so it cannot be torn apart nor can there be a divorce. We know our history well; it's bad because we have allowed our Francophone minority to write it. We the Anglophone majority must now produce some good history and create some good new history. Canada now needs a new Prime Minister, a western oriented Anglophone.

Quebec does not allow English signs. This is unfair. Quebec calls its provincial Legislature a National Assembly. This cannot be allowed. Quebec calls its Premier a Prime Minister. This cannot be allowed as well. Perhaps we should subsidize Anglophones who speak French but not Francophones who speak English. The fact is that there is normally no need for Anglophones to speak French, while there at least appears to be a normal need for Francophones to speak English, and in fact the overwhelming majority of Francophones do speak English. Air Canada stops at Toronto and the Quebec border and is replaced by Francophone Rapid Air. This must be stopped.

The 1980 Quebec referendum showed that 40 percent wanted to separate from Canada and 60 percent wanted to stay in Canada. Francophones have said that in fact the Francophones were split 50-50, and this would seem accurate. We must immediately put pressure on Quebec Francophones to make up their minds to leave or stay. We should not wait for some 1992 referendum, because it may well yield at least or near the same 50-50 split again.

If Francophone Quebecers decide to leave, then we'll have to decide what part of Quebec or what piece of land they will be allowed to take. In this regard I've prepared ultimatums to put to Quebec on their possible desire to separate, and they are as follows. Obviously, Quebec wants to be a sovereign nation or near that, so transfer payments out of Anglophone Canada are stopped completely. Francophone Canada takes its share of Canada's debt and states what it will take. It creates its own money or uses that of France, the U.S.A., or some other country but not including Canada. What part of Canada does it want to take? Quebec alone or part of Quebec and New Brunswick and Labrador or what? Canada would want to use the St. Lawrence Seaway and have some landing spots on the north and south shores. They should answer on giving up the north shore completely to provide a land route between Ontario and the maritime province remaining with Anglophone Canada. What is proposed in regards to Anglophones in Quebec and Francophones in Canada? What are its offers on Quebec and Labrador hydropower? The present veto Quebec has on immigration should be immediately canceled; it is unfair.

10:30

Now, this is on a little different topic. Electoral boundaries in Alberta should be immediately revised to agree with one person, one vote to an accuracy of at least a random plus or minus 5 percent.

I have noticed that the leaders here ask certain typical questions, and I shall answer the few of them that I can recall. Firstly, we have to establish: is Quebec in or out? Quebec does not now come to the table to discuss things; we have to push on without them or consider them to be standing on the sidelines. We have two responses for the two cases, so for efficiency we must push Quebec to get all the way out or all the way in and let the chips fall where they may. Re Quebec's 1978 Cullen Couture immigration deal, I believe in the supremacy of God and the rule of law. I believe in honouring deals. However, this

deal should be thrown out on the basis of the supremacy of God. It was improperly made by a Québécois, a Quebec type Prime Minister who does not properly represent Canada, particularly its English-speaking majority. Also, we were not asked, and we did not give the Prime Minister the authority to make the deal on our behalf.

Should education be provincial as it largely is now, or should it be made federal? If Quebec stays, they will be venomously pushing for it to be wholly provincial except that the federal government shall pay the costs. If Francophone Quebec separates, then it's a whole new ball game. For education to remain provincial is okay, but we want uniformity and transferability. So we can all sit down and in clear English language decide whether we want it to remain a provincial responsibility or whether we want to make it federal or joint provincial/federal.

I could not hear all the submissions because prepublished schedules were not adhered to and everything was too crowded and rushed; i.e., the initial 3 to 5 p.m. meeting starting on Friday was added later, we went past the scheduled 10 p.m. closing time on Friday night, and there was only a half hour lunch break at noon on Saturday. We must stop allowing ourselves to be stampeded around. We are talking about our Constitution, which is for all of us. It took us a long time to get to talk about it, so we should not rush it now.

For a closing comment, let me say that the giant, Canada's English-speaking majority, is now very much awake and is now rising, and it's about time for all of us.

Thank you for your kind attention. This concludes my brief, except that I was asked one important question that I have not answered in my brief, so I'll answer it briefly and quickly here. The question asked of me was: who should write a revised Canadian Constitution? My answer, in a very, very abbreviated form, is that all Canadians should write it. Should there be any further questions on this subject or any other, I'd be happy to try and answer them the best I can.

MR. CHAIRMAN: Well, Mr. Opstad, you've given us your views very clearly. I've never had any problem flying Air Canada into Quebec, but anyway maybe that's one of the myths people hear about.

Any questions? Well, thank you very much for coming forward.

We're trying our best to accommodate extra people, and we did add some extra hours to the day last week, it's clear. You can't always advertise the changes, as was the case this morning. We didn't advertise extensively on this morning's opportunities because we didn't have the time to do so, but we certainly let people who wanted to make their presentations know that now was the opportunity to do that.

Vilma Betts.

MS BETTS: Good morning. Bonjour. Buenos dias. Ohayoo gozaimas. Namaste. Han bu han. Paifen. They all mean the same thing, good morning, in seven languages. I come here first as a human being. My loyalty as a citizen is to the Canadian nation.

Mr. Chairman, committee members, fellow Canadians, I come to bury greed, not praise it. I indeed appreciate this opportunity, a captive audience of politicians listening to me. Thank you. However, I've had some misgivings. Is this the beginning of a histrionic act on the part of the government to look good, to get votes? Is it mere cosmetics? "For this one occasion we'll assume the posture of democracy, listen to the tiny little people.

See how nice we are?" Are you going to listen to our suggestions? No. Are you going to heave our suggestions into one of your gold-plated wastebaskets? I hear Mr. Mulroney's deep, booming, derisive laughter. Anyway, give it a go, I tell myself. Maybe, just maybe, somebody out there is listening. Thanks again.

I represent myself, a human being. I speak as a Canadian citizen of 41 years, a citizen of this great country. I will dedicate this presentation to the memory of Richard Cardinal, a 17-year-old native youth who so gallantly wrote a short statement of his condition and circumstances. His letter was published in the *Edmonton Journal*. Please read it. Please see the film in the National Film Board collection. I pay tribute also to our native brothers who extended their ill-repaid hospitality to European adventurers. History is bizarre; however, I acknowledge my debt to the European pioneers of this country who also made it possible for me to be here.

I will now tackle a few amendments to the Constitution. Number one, I am deeply concerned with the powers and responsibilities of the Prime Minister. I was disagreeably surprised when our present Prime Minister did not recall Parliament prior to so enthusiastically jumping into the Gulf war. According to some research I hurriedly did yesterday in - let me see - I think it's called the . . . It's the Constitution . . . Yes, the reference is here: Parliament scrutinizes the cabinet, which is responsible to the House of Commons; see page 715, section 1105, under duties and responsibilities. I ask myself, was the House of Commons negligent in not demanding to be recalled? I remember vaguely that Parliament had been recalled when a couple of boatloads of Sikhs, or maybe south Asian people, landed off the maritimes some time ago. I want to recommend that powers of the Prime Minister, the cabinet, and the House of Commons in cases of extreme emergency - for example, war - be more clearly written down and delineated in our written Constitution.

Number two, Quebec: I have lived five years in Quebec and loved it. While I personally would like Quebec to stay within Canada, I realize there is little I can do about it. It's up to the people of Quebec. Quebec has all the elements necessary to be a separate nation: language, laws, culture, educational system, health care, professional and technical expertise, et cetera. I must admit, by the way, that so has each of our provinces. So what is binding us together as a nation, as Canadians? We seem to have lost that good old mosaic glue that was supposed to stick us together. A badly chosen metaphor, by the way.

10:40

Number three, I want to recommend a new election formula. I must state clearly and loudly that I am equally not a feminist, I am not a 'masculinist'; I am a mere human being of the female persuasion and a heterosexual, inactive currently. However, in each riding in Canada there should be two separate lists of candidates: one with males only and the other with females only of the various political parties. Each person who votes should have two votes: one for a male, one for a female. I would also recommend that at least two-thirds of the elected women be either married, have been married, or have borne children, because I think this has important implications for the sort of social and economic situation of mothers and children, who are very necessary for the continuation of our nation. In short, the eventual result is to be two people elected for each riding: one male, one female. To me it is strange that as Canadians in this huge country we are not reproducing ourselves.

Number four, Canada's armed forces. Now, I'm on dicey grounds here, but I'll leave it to the experts. Canada's army should be converted to a national and possibly international defence force. Japan currently has a huge defence force; it's not called an army.

Now, another topic of mine is with regard to labour. My position is that everybody is equal. Every Canadian is entitled to adequate food, housing, clothing, education, health care, and, after 18, a life-supporting job. With Canada's resources this is possible. The Japanese do it with a couple of islands maybe one-third of the size of British Columbia and with very few natural resources. May I say in passing that I think they're no brighter than we are, but I think we are not as a society utilizing the intelligence of our really topnotch people.

As recently as 1988 Canada wanted to buy several radarless nuclear submarines at a cost of \$9 billion. Now, to me this is madness. First of all, who do we need nuclear submarines against? Maybe the Americans perhaps, but they're just next door, and we can go there on foot. Now, surely we can wipe out poverty in Canada for the cost of much, much less, and the returns in intelligence and enthusiasm utilized will be, you know, 10 or 20 times the \$9 billion.

Number two, full employment is possible. Japan's unemployment rate hovers around 2 percent. Until full employment is attained, I suggest that we establish actual unions of the unemployed to act as pressure mechanisms for the government to demand and ensure full employment for all Canadians.

Number three, another idea. If necessary, the current workweek should be declared to be 30 hours. This will make slots for people to enter the work force. Now, the last time the workweek was sort of established or structured into the labour system I think was in the 1900s. Well, it was then 40 hours. We are not taking cognizance of the fact that there is a great deal of automation now, and we are entering that, shall I say, science fiction area of robotics. More further on.

Let me speak of the good spin-offs. There are numerous good, vital, profitable spin-offs from full employment. One, hope and stability. A person can, then, live in the present and plan for the future. Young people can fall in love, make commitments, and establish homes and families, which will also be very good for the construction industry. Number two, there will be constant mental stimulation, even with job changes. Number three, with money coming in and shorter workweeks, people can enjoy recreation outdoors. This is good for the recreation and tourist industries. There will be tremendous sales of outdoor gear, sports goods, skis, canoes, et cetera. It will be very good for ecology also. People will then have a visceral identity with the land, the river, the seas, and the mountains, like our natives do.

I would suggest to the powers that be, labour or the political parties or research institutions: study the whole item of robotics. Get your research departments to study the current state of the art and the implications thereof. Then adjust work hours and work conditions accordingly.

Education post high school, in fact all education, should be free to Canadian citizens.

I want to deal now with a very touchy subject, because I really have no big numbers to go on. The reason I'm into this is because I think it's a very important factor. That is multinationals and their role in Canada. It's amazing how cleverly the multinationals use a metaphor to their own advantage. Actually, we should beware of metaphors which are merely amusing comparisons to a real entity. Take, for example, "global village." This, I presume, was well meant, implying: "Isn't it cute. We all

live in a tiny village where we know the butcher, the baker, the candlestick maker. We know everybody's business. We gossip over the back fence." Et cetera, et cetera. However, it seems to me that this has been subtly converted by the multinational corporations, which contain varied monopolies within themselves – another big topic – to mean: "Aha; global village. Hey, Brian, how about global pillage? Right on."

10:50

When the lone journalist attempts to perform investigative journalism, injunctions and fines and apologies are demanded and/or imposed. I must admit I'm a nonprofessional but a great reader. I speculate and offer this as a hypothesis. In most cases politicians are mere puppets of multinationals and do their bidding. Another speculation: I imagine that the multinationals think that governments are merely there to keep order and stability and provide a cheap as possible labour source. If I'm wrong, please correct me and give me guidance. I speculate also that the multinationals can buy all the communications experts and PR people, et cetera, they need to bamboozle the public. As one PR person said, "You can fool all the people all of the time; just give me a big budget."

At this stage of my presentation I wonder: why am I tilting at these windmills? What am I getting out of it? I, a powerless person, hope that others brighter and more influential than myself will pick up the ball and run with it.

Now, Alvin Toffler, I think, is a little meddler and causes a lot of trouble in the world. His latest book, *Power Shift*, on page xix says – and if what he says is true, there seems to be a concerted, managed, planned attempt to literally decimate Canada. Toffler says

that individuals, organizations, and even nations can be overloaded with too much change too soon, leading to disorientation and a breakdown in their capacity to make intelligent adaptive decisions. I personally think and feel that we in Canada are being subjected to this chaotic state right now. We need time out to think, to ask why, to ask ourselves who is doing this to us, to decide what we the people want to do.

MR. CHAIRMAN: Ms Betts, your 15 minutes have come and gone. Perhaps you could . . .

MS BETTS: Can I take the five minutes left over from the last fellow?

MR. CHAIRMAN: I think if you could perhaps bring your . . . I don't know how many more pages you have there.

MS BETTS: I wonder, could you answer my question, please? Could you give me the five minutes?

MR. CHAIRMAN: Well, no. You have 15 minutes, and you're over your 15 minutes now.

MS BETTS: Yes, but he is people and I am people, and I want to say this. Can we ask the group?

MR. CHAIRMAN: Would you please bring your presentation to a conclusion as quickly as possible. I'm not trying to cut you off entirely, but I'm just reminding you that your time has expired.

MS BETTS: The complete 15 minutes, no time for questions?

MR. CHAIRMAN: Well, you had 15 minutes, and you've used it. Now, if you'd like to quickly bring your . . .

MS BETTS: Sir, you are being extremely bureaucratic. Anyway, thank you for at least giving me this. I'll write it and shoot it off to you people.

We are currently witnessing and experiencing the inappropriately named free trade. Free for whom? I hear tell that lots of our modern-day slaves will have to move down to Mexico to get jobs. Of course, they have to work, as is usual business practice, at the going rate. The job providers have to watch the bottom line, of course. This is the bottom line.

If anybody wants to ask me questions, I don't know, maybe I'll give a short answer.

MR. CHAIRMAN: Thank you very much.
Yes, Mrs. Gagnon.

MRS. GAGNON: Thank you. Just very quickly, as someone who speaks at least part of seven languages, do you have any opinions about the present multicultural policy as practised by the federal government?

MS BETTS: Yes, I do. I think it's a very subtle form of ghettoization. I think maybe the intent was good, but the results are terrible now. They're going to be terrible because people no longer talk to each other. They're no longer Canadians but live in little ghettos of their own.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Pam Barrett.

MS BARRETT: Thank you. You offer a very thorough critique, I think, of certain government policies and the effects that they've had on Canadian society. I wonder – and this may have been dealt with in your remarks for later on – if you've thought about any sort of constitutional measures that could be taken that would result in some of those measures not having occurred? You talked about, you know, the House not being recalled before Canada entered the Gulf war or the free trade agreement or things like that. Are there any constitutional changes that you can think of that would make the system more accountable?

MS BETTS: Yes, I think so. I think, as I said in my suggestion there, the experts and people who are knowledgeable should get together to write in. You know, there's subtle intimations there. Okay, it was Mr. Brian Mulroney's choice. I'm not sure. You see, it's a very, very vague thing. I did take a course in political science, you know, in Canada years ago, which is miniscule. I was really and truly surprised that with all this time available to him he did not say, "Look; a lot of killing is going to be done both on our side as Canadians and by other people. They haven't attacked Canada. There is no way Iraq has attacked Canada as far as I can see. So let's decide why we should go in there. You know, I don't have all the information. Let me recall Parliament, which represents the people, because they have doubts too. I'm sure I'm not the only person who has doubts about the situation. I mean, the Americans, okay, they can do whatever crazy thing they want. That's their privilege. But I am a Canadian, and Parliament represents me and represents people."

I went yesterday to read the Constitution, this part, and there was a quote that even though Mr. Mulroney as Prime Minister is part of the cabinet, cabinet is responsible to the – what you call it? – House of Commons. So I think, working backwards, the House of Commons should have demanded that, say, "We as a group demand to be recalled." Now, how can this be put into law? Those are the implications I derive from reading that part of the Constitution. Right.

MS BARRETT: Thanks.

MS BETTS: Yes.

MR. CHAIRMAN: Mr. Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Maybe not so much a question as I'd just like to encourage you, Ms Betts, to finish. At least put it in the form of a written brief to us. I think all of us would really appreciate getting that from you. I know you've put a lot of work and thought into it. I really don't want to miss the other points you want to make, and maybe just make a suggestion that if we decide as a committee to conduct further hearings, there might be an opportunity then for you to come back and express some of those views verbally to us.

MS BETTS: Yes. Again I want to thank you. I think this is just the beginning, and I hope it's not only a one-shot affair. I wasn't going to come, but I thought, well, it may be the last chance I have to speak as a Canadian as I understand it. I want to say that if anybody has any questions, I gave my phone and my address to the receptionist. Write me, ask me, or invite me to come before you people again, because I feel it's very important.

MR. CHAIRMAN: Thank you very much for coming forward. We appreciate your comments.

I just want to alert you and other members in the room to the fact that at 11 o'clock they're going to have a fire drill in this hotel. The bells will ring, I'm told. That should be in a moment or two. That does not mean, however, that we have to vacate the room, because it is only a drill. So don't be alarmed when you hear that, if indeed it occurs. That's the advice we've just had.

Bill Dupont.

That's not the fire alarm, I guess. Now we're all sitting wondering when the bells are going to ring.

MR. DUPONT: Nice to know that when we talk, we get the attention of bells . . .

UNIDENTIFIED SPEAKER: And whistles.

MR. DUPONT: That's all right; whistles.

It's not my attention to present a brief. My whole reason for being here was the result of believing that there would have been an opportunity at the conclusion of last week's briefs to speak at the microphone.

11:00

My big impression is that I congratulate you good people on your tenacity. I do believe that what is being presented should be presented. I hope what I have to say is very brief. It has to do with: if our Constitution is tied to our economy, the word

"economy" meaning a level playing field, what chances has our competitiveness as far as in a world situation?

Apparently, Mr. Mulroney, our Prime Minister, confided one time to Mike Duffy, a columnist – I guess this encounter was in the hallways. "Mr. Mulroney, what is your biggest problem, having been a Prime Minister for this length of time?" The response: the bureaucrats. It would appear as if there was stonewalling. If this is the case and they in fact are leading our country, or the union individuals that provide this kind of thing are leading our country, I think we have a problem.

Now, if government is to be big business, I do believe business thrives on productivity. This has always been my premise: productivity drives business. I do believe competitiveness is an essential part even in business having to do with those who are bureaucrats. If in some way they can be on a contract and it's a five-year type of contract, it should be open, I believe, to anyone qualified for this kind of position. There are those in this beautiful position at this point in time who indicate that surely they could do better in private industry. Well, of course, the obvious is: let's give someone else a chance. The fact is that I believe a five-year type of employment contract is open to surveillance, but those individuals who are doing the surveilling are under the same kind of situation. They must be qualified and competent as well. Again, the same rules apply, namely five years.

The other topic I have has to do with the Senate. It is my belief that if it has any good intentions, where are they? It is obvious that the dodo bird has become extinct, and it may very well be that something like this should occur with our Senate.

A final point – and I believe this is all part of our Constitution – is along the line of capital punishment. There was a time when committing this kind of event – namely murder, taking away another person's life – was dealt with with finality. We have, I suppose, become a soft touch, maybe too soft a touch. I think we're just too soft a touch for a number of people not necessary of our society, namely Canadians. If there's an answer, I think one of the answers could be the amount of money that is spent for incarcerating these individuals who are convicted killers. It may very well be that for those individuals who believe they should be permitted to live or permitted to be incarcerated, it's an expense, a luxury we as Canadians are having problems trying to afford. I'm of the opinion that possibly there are those who would take \$50,000, \$60,000, or \$70,000 and in some way rehabilitate them in their home. Certainly I think we as Canadians would be ahead financially, and in the event these individuals were a failure in their rehabilitation, then there could be a real accounting.

That pretty well sums up my comments. I do thank you again for being here.

MR. CHAIRMAN: Thank you very much, Mr. Dupont.
Are there questions? Yes, Pam Barrett.

MS BARRETT: Just one respecting the Senate. I caught your suggestion about the five-year contract term for the Senate, but there are other proposals as well. Are you open to any kind of Senate reform you can get right now, or do you have a preference to abolish the Senate?

MR. DUPONT: I believe that if the Senate can be meaningful, let's have some evidence. This five-year contract, I think, can apply to those individuals. I have no idea what the top bureaucrat in Canada receives as an income, a stipend or whatever, but if they believe they're entitled to it, we should get some produc-

tivity. Somewhere along the line there are individuals . . . [A bell rang] It's all right; I've gone through fire drills before.

MR. CHAIRMAN: If you'd like to just wait while this concludes, we can perhaps take a little break from our discussions, because it's hard to hear or think when this is going on.

MS BARRETT: I think I caught what he was saying though.

MR. CHAIRMAN: Okay.

MR. DUPONT: Should I continue?

MS BARRETT: I caught most of what you said.

MR. CHAIRMAN: Okay. Now . . .

MR. DUPONT: I think I have pretty well reiterated my beliefs on this five-year contract business, and as I have indicated, there is no reason why . . . In New Zealand I do believe they have some kind of situation they have imposed, and it seems to be doing very well. One thing they have made some observations about is that their administration was tax driven. In other words, it was too tax driven. So the idea being to in some way make it just a little more so we can have a level playing field here in Canada.

MR. CHAIRMAN: Thank you very much. I'm sorry for the confusion. You've carried through quite well with your thoughts.

Dr. John Newton. Dr. Newton, if you'd like to wait until this concludes to make your presentation, we could take a brief break.

DR. NEWTON: Well, Mr. Chairman, I have two hearing aids, and this is really difficult for me. Perhaps we could have our coffee break now and come back or something like that.

MR. CHAIRMAN: I think we'd better take a break until we know how long that disturbance is going to go on.

[The committee adjourned from 11:07 a.m. to 11:19 a.m.]

MR. CHAIRMAN: The bells have stopped ringing, I hope, and Dr. Newton would like to make his presentation. I ask the panel members to return to the table.

Okay, we'd like to get going again. Dr. John Newton.

DR. NEWTON: Thank you, Mr. Chairman. I appreciate the opportunity to contribute as a citizen. I shall speak directly to the paper I presented in advance and then will be happy to answer any questions.

My main purpose in being here, I think, is that I wish to respond to the visits of our Premier, Mr. Don Getty, to Quebec telling them they had better stay in Canada or else, or words to that effect. I don't believe he had a mandate to speak this way on behalf of Albertans, and he doesn't speak for me.

I would like to put the question – I agree that it seems to be heretical in many places, but I'd still like to put the question – if Quebec must leave Canada, why can it not do so with our blessing? Are we so enamoured of our constant fighting with Quebec that we cannot bear the thought of life without it? If Quebec is determined, what do we do? Send gunboats down the St. Lawrence and troops from the hinterland? If, on the other hand, a sullen Quebec is persuaded by threats of retaliation and

isolation on the North American continent to reluctantly stay in Canada, assuming that they are prepared to accept yet another humiliation, can you honestly believe we now have the basis to build the true north strong and free, the kind of Canada we want?

On the other hand, if the price of keeping Quebec in Canada is to make them a sovereign nation in all but name – which is certainly the way I interpret the Allaire report and other statements that have been bandied about – but with full privileges of Canadian citizenship, including parliamentary seats and existing vetoes, why is this superior to negotiating with an independent Quebec on a mutually beneficial basis? Now, maybe there are good reasons, but I'm putting the question as a citizen. I don't understand why that should be considered superior to this awful idea that we can't possibly let Quebec go and have to do everything possible to keep them in.

The western Premiers have been quoted as saying,

The economic association proposed after separation by the Quebec government is clearly incompatible with the interest of Western Canada.

Here I'm referring to the presentation you have by Professor Meekison. It is not clear to me. In an age of free trade and common markets, the General Agreement on Tariffs and Trade, the multinationals, the International Monetary Fund, et cetera, I cannot believe that trade with an independent Quebec should be that difficult. In my view the price of keeping Quebec in Canada has been exorbitant; it's been nothing less than the paralysis of Canadian politics. For example, I believe full recognition of the rights of Indians and Inuit and the right of northerners to full provincial status at their choosing would do more to firmly establish Canadian sovereignty in the north than all the atomic submarines we could possibly afford.

I believe that most Canadians like a Canada-wide pension plan and Canada-wide medicare and are irritated by interprovincial red tape. I believe they want Canada-wide environmental, education, and social standards which would in no way prevent any region exceeding these standards. I believe a vast majority of Canadians put Canada first and their provincial allegiance second and would be happy with regional safeguards. For example, the maritimes, Quebec, Ontario, the western provinces, and the north would be happy with a reformed Senate with equal regional representation and vetoes without insisting on so-called equal provincial rights. The problem – at least the problem for me – is that I do not believe we really know, because the debate has been so dominated by how to keep Quebec happy, which incidentally we're singularly unsuccessful at doing in spite of the emphasis, and at the same time how to make sure they don't get anything we don't all get. I think as we debate these two issues, the question of "Well, if we had our druthers, how would you like to run Canada?" seems to have gotten second place, and that's what we should really be trying to debate.

Because of this dominance of the debate we have not had the chance to look at our own priorities. With or without Quebec we still have regional interests to consider. I've been in this country since '52, and hating Toronto has been a national pastime at least since that time if not before. So it's not just the Quebec issue, but it's dominated by it. I think if we can demotionalize that issue and then say, "Well, how do we, in fact, protect our legitimate regional interests?" we'd have a better chance of doing it. With or without Quebec, we still have regional interests to consider, social programs and medicare to finance, a recession to conquer, and our first peoples looking for justice. We still need to establish the rights of French

Canadians arising from their contribution to our history apart from any Quebec consideration. I'm always upset with this tie in that it assumes we're conceding to our French Canadian citizens in Alberta, for example, as a concession to Quebec. In fact, the French Canadian . . . You don't have to go much in the east; you know they built west as well as Quebec and have their own entitlements to it. But again, we don't discuss it because it always seems to be dominated by this Quebec issue. I am no expert in these matters. I'm just a citizen giving an opinion.

Since coming to Canada in '52 I've been impressed with our ability as Canadians to solve problems and reach effective compromises. I must therefore ask myself: what's the difficulty? Where's the bind? We seem to be in one. I have concluded that it's the domination of national politics by the alleged need to keep Quebec in Canada at all costs, which brings me back to my original question: if Quebec must leave Canada – and notice I say "if" – why can't it be with our blessing? Accepting this proposition would allow us to proceed more positively to establishing our own priorities, which is precisely the message I hear loud and clear from Quebec: that Quebec will decide what we want, and they are telling us, and the rest of Canada should be deciding what it wants. I say a big amen to that. I notice, Mr. Chairman, in your own summation here a quote from Lise Bissonnette, publisher of *Le Devoir*:

I would like to see develop in the rest of Canada a constitutional agenda of its own . . . that's exactly what Quebec is doing right now.

That's just typical of the colour. I think they're inviting us and telling us what the rest of Canada really would like Canada to be, and then we can come to Quebec in a more positive way.

Furthermore, we still have to debate what goes if Quebec goes. Do we assume they take with them Ungava Bay and James Bay or the original watershed of the lower St. Lawrence? I put in a map briefly summarizing the history from '82 to 1931. The expansion of Quebec into the north was their natural share of Canada's development as a nation. It can't, in my view, be automatically assumed to belong to an independent Quebec. What should be the status of Indians and other minorities? What options should be given to them? How would we divide the national debt, the national properties, et cetera, et cetera? I think an intelligent discussion on these lines rather than making empty threats to Quebec, and saying, "Well, okay, if it's your choice" – we've got all kinds of things we have to go into, and it just may be, as I make my final point, that if we have frank dialogue in a positive, noncombative atmosphere, we might find we all would be a lot better off trying to solve the problems within Canada after all, maybe giving us more chance to stay together.

I think in summary I would say I am a great believer in the ability of dialogue to achieve solutions. I am not at all a believer in threats and counterthreats and closed-door negotiation and trying to pull a fast one, which is what I think basically the Meech process was all about. The idea of "Well, if we could only just do it" and then we wake up and find, "Well, the Constitution's it; it's a fait accompli; we'll all learn to live with it": I think that's the wrong way to solve problems.

MR. BRADLEY: In your presentation you've raised a number of different issues, and you said you didn't see gunboats on the St. Lawrence River. What would you suggest Canada's approach would be if out of the referendum process there was a unilateral declaration of independence by the province of Quebec which

included the present territorial boundaries of Quebec? How would Canada deal with that type of declaration by Quebec?

DR. NEWTON: Well, first of all, I think Canada could use the Quebec precedent that at their own volition – then I think it's reasonable to expect that parts of Quebec should have the same rights for self-determination and decide whether they want to go on with it. I certainly think that's true of largely Anglophone areas of Quebec, for example. I've heard of areas of Quebec that are already making noises to this effect. You know, Canada has been a country for long enough that Canada as a whole has a lot of obligations in Quebec, certainly to the Anglophones there, certainly to the Indian populations, and certainly to northern Quebec, and I think we should say, "If you go, we have rights and privileges, too, that we have to honour." I think we can put a little pressure on Quebec and say, "Well, if you just take off and run and take the whole thing, you may not be happy with your own separatist problems you're going to get within your borders."

11:29

Now, I suppose to pursue it in a technical way, gunboat diplomacy or not, we may have to decide how far we would go, but the kinds of things I hear coming from Quebec, if we are to believe some of the spokesmen of their opposition anyway, is that they would like to leave in order to get out of our hair and establish their priorities but would like to work with us. So I think I'd rather pursue it on the basis that they're trying to work out how they'd like to live on this continent in as positive a way as possible, and if that is so, surely that gives us lots of levers. If they're talking about they'd like to carry on trade as usual, things like that, that should give us lots of levers to make sure our legitimate interests in Quebec as Canadians are fairly represented.

If you push it to the conclusion of confrontation, I guess I'd say I really don't know how we'd all end up if both sides just keep pushing. I see so much scope in the more positive atmosphere of working things out that I think we can try and work on the assumption that that won't happen.

I hope that's a reasonable answer.

MR. BRADLEY: Well, I would hope we would be doing such a disentanglement or separation on the base of negotiation, but there is always the prospect that just the discussion on territory could result in some very firm positions being taken on both sides, expectations by the legitimate governments on both sides to pursue those to the fullest extent, which could result in some confrontation at some point.

DR. NEWTON: Oh, yes, and I have no objection to my Premier reminding Quebec and saying, "Look, if you separate with all the best will in the world, you may solve one problem; you may create more problems than you're solving." Trade and monetary policy and managing of the debt and establishing interest rates and so on are complex enough even within a country. We've seen the problem of how to decide powers and interest rates and so on when there was an overheated economy in Toronto and we were looking for more investment. So naturally these problems are going to be even more when you're dealing with an independent country. I have no objection to Premier Don Getty reminding people of that if that's what he's saying. What I don't like is hearing comments, maybe an interpreter saying, "Well, if you go, we're going to put the screws to you; we're going to make it as hard as possible for you."

Now, maybe I'm misreading the Premier, but certainly I've heard people around this conference more or less expressing that kind of view, and this is the view I don't identify with. As a citizen I say no, I don't agree with that. I don't think that will give the best results for Canada.

MR. CHAIRMAN: All right. Well, thank you very much, Dr. Newton. Your time was precise, and thank you very kindly for coming forward and for being patient and listening this morning as well. Sorry about the bells, but we finally did get you heard in a calmer mode.

Don Cruse.

MR. CRUSE: Thank you for this opportunity to address you. I do so as an individual, and indeed individualism is one of the main themes of what I want to say to you. I have already submitted my comments in the form of a brief. Because of the shortage of time perhaps I will just quote from the brief rather than read the entire thing.

I must mention that when I left the house this morning I left my reading glasses behind, so you must forgive me if I squint.

I'm concerned about the tension that has developed in Canada between the so-called rights of collectives and the rights of individuals. This is a theme that I wish to address. We are born and raised within collectives or groups, groups which are chiefly defined by race, language, or religion but which may include other aspects of human culture. Our membership in such natal collectives is determined for us by our parents and by the adult community. As we grow older, however, we increasingly choose our own affiliations, and many of the collectives we are born into begin to exert diminished control over us. We are becoming individuals.

It is as individuals first and foremost that we are citizens of Canada. Indeed that very lack of identity that so many Canadians have thought of as a weakness is fast becoming our greatest strength. We are emerging on the world stage as a nation of individuals. It is as a nation of individuals, perhaps the first such entity in history, that we have a task to perform for the rest of troubled humanity, a task that perhaps only we can achieve and then only if we clearly understand it.

Let me say what I think that task to be. Our membership in groups was and still is to some extent a source of political power. Times without number in human history we have seen political power, whether democratically or otherwise obtained, used to oppress and repress other racial, cultural, or religious collectives who have the misfortune to share the living space of those who hold and wield that power. As a result, all over the world today people are becoming increasingly sickened by the abusive use of political power in the name of some racially or culturally defined collective. In the final analysis it does not matter whether the collective in question represents the majority in a given society or the minority, as in the case of South African apartheid. Tyranny remains tyranny, and the formula that creates it is always the same. It involves the identification and singling out by government of some culturally defined group for the purposes of giving them special treatment, whether it be good or bad. If the treatment meted out to them is bad, the members of the group will suffer. If the treatment is good, the members of all the excluded groups suffer. In either case the principle of equality, so vital to social justice, is ignored and that of selective discrimination put in its place. We see on every hand today that culturally defined groups are generally suspicious of each other's motives and intentions and tend not to relate at all well with each other.

Individuals, on the other hand, whose roots and affiliations belong in different groups can often work together without difficulty and with much mutual respect. Respect is quickly replaced with suspicion and enmity, however, when the claims of opposing group loyalties are allowed to interfere in a relationship between individuals. We may say, therefore, that group rights are always a source of social conflict, of extreme emotional reaction and strained relationships, not just in Canada but anywhere in the modern world because they emphasize personal differences and turn them into the basis for a power struggle. In short, there is nothing more certain to create a racist backlash than making a legal claim or enacting a legal measure that is racially based in the first place. The same is also true of claims that are made on behalf of any culturally defined collective. In contrast, individual rights, where the exercise of political power is concerned, are not contentious because they give everyone the same advantage. Once the legal emphasis has been placed solely on the rights of the individual, we become able to enjoy our differences and even to share and celebrate them and the richness they bring to social life. To strengthen the rights of the individual, therefore, and to deny any legal recognition of group rights would be to defuse the single greatest cause of conflict in any multiracial and multicultural society be it Canada or any other country.

I go on to summarize the approach taken to this issue in the American Constitution and the fact that religious differences were the primary concern when that Constitution was written. As a result, the Bill of Rights in the U.S. makes it unconstitutional for a religion to be declared official. There are many people today who recognize this fact but also try to pretend that religious cultural differences are somehow unique in this regard and what is true of them is not true of other cultural collectives, those based on race, for example, or a language. In this they are seriously mistaken.

11:39

It is now the case – and Canadian experience in recent years should have made us all painfully aware of it – that language has joined religion in the ranks of cultural collectives that lead to a high degree of social conflict if they are established. To declare any language official is totally unnecessary. Language issues both inside government and outside could be settled by sensible housekeeping rules and by agreements designed to meet the genuine needs of the populace in relation to time and place. Instead, by placing it in a legal straitjacket, we have made a simple matter complex and have turned it into an unending source of social irritation and discontent not to mention unnecessary expense. The crisis that now faces Canada with the threat of Quebec separation was in large part created by, not prevented by, our acceptance of official languages as a part of government policy in the first place. The present national predicament is made more difficult to solve because we have given a false legitimacy to a measure that is deeply contrary to the sense of justice and fair play that lives in every person's better nature. We have taken a step that by its very nature cannot help but be repressive and be experienced as such and have tried to make it appear respectable. It won't work because it can't work, because it is contrary to the needs of the age in which we live.

Had we instead followed the U.S. example in the realm of religion and steadfastly refused to make any language official, even the most ardent supporter of the French language would now have to think twice about using the law as an instrument to impose cultural uniformity in the realm of language. The

regressive and antisocial nature of such legislation would be as obvious to him as to anyone had not this highly dubious policy been given the semblance of respectability in Canada's Official Languages Act.

Culturally defined group rights are not really rights at all. They are privileges that masquerade as rights. Individuals who belong to groups so favoured are given special status, and those who are not are deprived by law of their legitimate rights in the realm in question, which means that the law has become a tyrant, for when such legislation exists, the coercive powers of government, which should be confined to such matters as criminal law and defence, are being used against its own citizens in a manner that creates intolerance and social disharmony. Even when this fact is only dimly perceived and not brought clearly to mind, as may be the case with most Canadians, deep down we all know this to be true and we respond, sometimes irrationally, to the very real injustice that such messes create. We know that by legislation of this sort a hurt is being inflicted on the body social and such action is not excused by past injustices however bad they may have been or are perceived to have been.

My conclusion concerning linguistic rights: there will never be a solution to the language problem in Canada until we abandon the concept of official languages. There should be no official languages whatsoever in Canada, not even English, and governments whether provincial or federal should undertake to meet the legitimate demands made by their citizens for services in different languages on a basis of need and in whatever area and to whatever degree that need genuinely exists and not through the clumsy, wasteful, and socially abrasive instrument of so-called linguistic rights, rights that are awarded to some and denied to others and thereafter constitute a privilege that has been defined as a right. This one simple step, the disallowance of official languages, would at once begin to defuse the conflicts that have wastefully consumed so much of our nation's time and assets in recent years, conflicts that will never be resolved in any other way. Even the secession of Quebec from Canada would not solve them, because the problems would still remain for all the other linguistic groupings both in Quebec and in what is left of Canada.

I then make some supplementary comments. If our leaders can find the courage to make such a statement clearly and to act upon it, then after an initial negative response from extremists has died down, the fragmentation of Canada will cease and our country will be reborn for us. We will also come to represent to a world torn by intercultural strife a better way of doing things, one that arises from the clear understanding, constitutionally framed and enforced, that the law must never be permitted to be culturally, linguistically, or racially selective.

Others have noted, I am sure, the scrupulously fair manner in which the application of law is handled by the present judiciary in Canada to the extent that they will even grant restitution to someone wrongly convicted, as in the case of Donald Marshall, or throw a conviction out if there are the slightest grounds to believe the law has not been fairly applied, as in the recent case of Jim Keegstra. This all stands in stark contrast to what we as a people have done through our official language legislation. In this we have allowed the law itself to be used as a vehicle of prejudice and intolerance. Yet we seem not to be aware of what we have done. We even pat ourselves on the back, claiming that having two official languages somehow gives us a moral advantage over the rest of the world. Such a level of national self-deception is painful indeed to behold, especially when promoted by members of the intelligentsia. Democracy as a way of

governing a multicultural society is relatively new, and I suggest that it will come of age and begin to reveal its full potential as the highest form of government only when we learn to extend the same deep concern for justice that now exists in the application of law to the creation of law also. For what does Canadian society or, for that matter, any society gain by the even-handed application of a law if the law we apply is itself discriminatory?

I have some comments about the application of what I have said to Canada's native population. As individual citizens, it goes without saying that persons of Indian and Inuit extraction should enjoy all the same legal rights and freedoms other citizens of Canada enjoy. The question then is: should they, because of their claimed status as members of First Nations or because of real or imagined wrongs done to them in the past, enjoy additional rights that are not granted to others and are predicated on a basis of race? I go on to say that I fully recognize that grave injustices have been done to our native people and certainly an apology should be issued to them for the way they have been treated, just as much as it has been given to the Japanese and recently the Italian community. Anything that has been done to them that is predicated on the basis of race, any discrimination that has been shown to them, is certainly regrettable. Some of the many injustices meted out to native peoples were racially inspired, and all nonnative Canadians need to feel some measure of shame for the actions of their forebears. A government apology similar to that given to Japanese and Italian Canadians would be in order here also.

We should try to make amends and give our native peoples back their dignity in full measure and with respect for what they out of their special gifts and abilities can contribute to the Canadian mosaic. The question is how. Not by giving them special rights, which would have the opposite effect and would surely incite anger and even hatred towards them as a people. We must seek instead solutions that belong to the future and not to the past. For example, the idea of an environmentally based land trust could be examined in connection with native land claims, trust in which native peoples are fully involved along with other like-minded Canadians in the exercise of a kind of stewardship of our country's natural resources. A structure could be developed that involves use by native peoples of certain territories but falls short of absolute ownership, having conditional clauses perhaps to be reviewed at set periods.

MR. CHAIRMAN: Mr. Cruse, I'd just remind you that your 15 minutes are up. So if you are just about at the end, I'd appreciate it if you'd bring your submission to a conclusion.

MR. CRUSE: I'm on the last page.

MR. CHAIRMAN: Okay.

MR. CRUSE: How much better this would be than to have them withdraw into enclaves of ethnocentric isolation surrounded by a hostile populace, as at Oka. There is already too much ghetto mentality at work in the reserve system as it now exists. If this were ever allowed to happen on a much larger scale, it would be a tragic and regressive step both for our indigenous peoples and for Canada as a whole. The recent judgment by Justice Allan McEachern of the B.C. Supreme Court is seen by native peoples as a further attack on their dignity and a repudiation of them as a people. If they really examine the situation, however, they will find that this is not the case at all but is a repudiation of their attempts to act at cross purposes with what is arguably the most important development

in modern social life, the primacy of individual rights. By attempting to claim a special legal status on grounds of race, they place this development in jeopardy.

11:49

I appeal, therefore, to the members of this committee and, through them, to all Canadians regardless of their membership in collectives to stand up and be counted as individuals and reject any attempt to break Canada up into separate territorial enclaves that are dominated by the egotism of collectives. Collectives should be given freedom but not privilege.

Conclusion. For the reasons given above and many more that in the interests of brevity are not stated here, a clear and unequivocal denial of all collective rights in Canada is the one constitutional step beyond all others that will pave the way for the next stage in our development as social beings, that of responsible individualism.

MR. CHAIRMAN: Thank you very much, Mr. Cruse.

Yes, Bob Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Mr. Cruse, yesterday in Camrose the Camrose separate school system appeared before the committee and made a presentation. They wanted this committee and the provincial government to ensure that long-standing protection of Catholics in Alberta to educate their children in a sectarian way be protected. Could I take from your submission that you believe the right of Catholics, guaranteed under the Constitution, to educate their children in a sectarian way is a privilege and not one that ought to be recognized any longer in the Constitution?

MR. CRUSE: It is a privilege so long as it is only given to Catholics. I fully feel that education is a realm in which politics should not play a very great role and that the privilege now given to Catholics stands in sharp contrast to the fact that the rest of the cultural minorities in Alberta, for example, do not have that same right, do not have the ability. Even what was a Protestant school system has now become public and is a sort of catchall for everyone else except Catholics. So insofar as it is not given to the rest of the populace in some sensible way, I think there should be a change in public education that makes it more open and more possible for cultural groups and philosophic groups to come together into a sort of affiliation with public education that allows them to have other ideas that they do not subscribe to presented to their children. I think this is important, yes.

MR. HAWKESWORTH: On a similar line, Mr. Chairman – and I'll try and keep this brief – one of the proposals we've heard Albertans speak in favour of is a triple E Senate as a way of protecting the regional interests of western Canada and Alberta. If we go to a situation that doesn't recognize collective rights or perhaps even the interests of some Canadians on a regional basis – let's say, Albertans – is there some danger that in all situations a majority of Canadians who live in Ontario would always be able to dictate national policies and as a minority in Canada those of us in Alberta would always be on the short end of the stick? Do you see a danger in a situation like that? If so, how would we compensate or make accommodation for that?

MR. CRUSE: I think that is a danger, but it's a danger that arises because government policy tends to be discriminatory.

With any government policy, whether it's the federal government or provincial governments, this happens. Cultural discrimination is a form of patronage. I think there is today cultural patronage and economic patronage, and they're both wrong. We recognize that economic patronage is wrong, but we still find it happening. I think we should now recognize that cultural patronage is also wrong, and once a government operates with that understanding, it won't be necessary for there to be a Senate to rectify the decisions that have been wrongly made by different levels of government. Even if they could, I don't really think the Senate would serve a useful function in the future, if you really want my opinion.

MR. CHAIRMAN: Thank you very much for your thoughts, Mr. Cruse, and for the eloquent way in which you've expressed them.

Larry Zbitnew.

MR. ZBITNEW: I welcome this opportunity, Mr. Chairman and committee members. I think it's a privilege.

I think the issue before us is really national unity in Canada in the 1990s. In the 1960s, when I was a student at the University of Saskatchewan, all we heard was: what does Quebec want? Separatists like Pierre Bourgault came to speak to us as students and laid blame on us about the cultural and economic status of Quebec in Canada. Politically, Canadians assuage this guilt with transfer payments and bilingualism and the shift of political clout to Quebec. The time has come for us to address the question: what does Canada want to be as a total entity? The question in the 1990s is not one of political mollification but rather a vision of what Canada should be in the future. The vision needs to address economic viability, our role in the world, with cultural and linguistic considerations worked into the tapestry as a backdrop rather than being the overriding theme. A strong vision of our future would give all Canadians, including people from Quebec, a reason to stay in our Confederation.

Some of the elements of the vision. Economic viability. Although economics alone does not build a nation, a strong economy would provide us with a strong basis for a nation. We need to eliminate the national debt because we need to be competitive. The national debt is a large factor in forcing us into a noncompetitive position. People in this nation could be encouraged to give individual and/or corporate contributions which would be directed to the national debt alone for principal reduction so our children and grandchildren could have a viable future. We could have income tax incentives to make contributions. In other words, there would be benefits to the individual. At the same time, there certainly would be benefits to the whole country if we depleted the principal that is owing. I believe people who could afford it would take advantage of this plan if there were a guarantee that it would go against the principal owing on the national debt. We need to believe that there's a commitment to careful spending from all people in government; also, on a personal level, no extravagant trips to Paris for the Prime Minister on the public purse. There must be credibility.

In addition, we must encourage research, inventions, and a public attitude that would take the capital and resources in Canada and turn these into jobs, particularly high-tech jobs, for Canadians. In this case, we must be prepared to spend money, not through patronage but legitimately, to try to develop new technologies, inventions, and ideas for management and business. In some cases there will be failures, but we must be prepared to spend 3 to 5 percent of the GNP to look ahead. People with imagination, courage, and abilities who are prepared

to work for societal benefits need to be encouraged and rewarded.

Transfer payments, where the west was bilked of billions of dollars, is not the answer to nation building. If western Canada were allowed to keep its wealth and diversify, it would have attracted people, particularly younger people, to live in the west. Instead, we're subsidizing them in a part of Canada that is continuing to be unproductive. We need to reward success. The labour pools and the markets would have been bolstered where there was a need for these.

On an international role, we need to maintain a role in the world as peacemaker, but this cannot be done at the expense of appropriate military strength. We need a mobile strike force that is state of the art. The Gulf war underscored the need for this role. A strong reserve force would provide us with military potential in a crisis situation without tying up our labour force and causing us the great expense of a standing army.

11:59

We also need to look at mechanisms through GATT and the UN for encouraging multilateral trade. Bilateral trade deals are not going to be the total answer. If we want to maximize mutual benefits, we must seek trade with Europe and the Pacific Rim as well as the Americas. If GATT is not the answer because we lack influence within this organization, then we need to spend money on trade missions with a view to developing our position as a trading nation.

In terms of cultural and linguistic considerations, we are a nation with people who have roots from many parts of the world. People should be proud of their heritage, but we need to develop our identity as Canadians. We need to take pride in what we have done, in our heroes, artists, musicians, and hopefully our political leaders in terms of their statesmanship. Forced policies like bilingualism have not worked. We should encourage language development but not require it to be a prerequisite which overrides competence. Government does not need to spend large amounts of money on these policies. Instead, we need to encourage educational institutions to provide avenues for people to take their own personal initiatives in these areas. However, programs like Open House Canada and other exchange programs should not be dropped. These programs encourage a meeting of the minds for young people, a type of understanding that cannot be achieved readily in other ways.

The native people in this country should have their land claims settled within a five-year period. These claims should be arbitrated by the courts and the payments staged over a reasonable period. Money should not be squandered on some native leaders who frequently misrepresent their people; i.e., Erik Nielsen's book *The House is Not a Home*. He makes references to this issue in his book. I think these settlements should include payments split between individual needs and the band as a whole. This would serve both personal needs and the economic development needs of the band.

A national education policy is long overdue, the issue of a national curriculum aside. It is high time we took a hard look at the sacred cow of provincial rights and education. We need to look at the efficiency of universities. Perhaps we should develop the quarter system so that larger numbers could use the existing facilities where state of the art technologies could be efficiently provided. We need a manpower approach to planning so our young people could choose their futures based on adequate information about our current needs as a nation. Perhaps universities should specialize so they could more efficiently provide exceptional programs for all our young people

without expensive duplication. These programs should be available for all young people across Canada, not just people from particular provinces. Entrance requirements should look at more than marks, and we need universities staffed with people who are able to teach and encourage our young people to develop their strengths for their own personal benefit and the benefit of Canada.

We need a national policy encouraging industry to develop continuous educational programs so employees can keep up with technologies and other changes. In addition, this program should be used for manpower management within the organization so we could avoid unemployment and keep our people productive. Money must be spent or invested in imagination and creativity. This is what will save our industry and provide us with economic prosperity.

Any formula for amending the Constitution should be based on the principles of a strong central government and one that does not require unanimity for amendments. A referendum could be used at the ballot box at the next election. Clear alternatives should be given; in addition, an opportunity for the electorate to indicate some priorities for Canada would be worthwhile. An approach to the amending formula that might be useful would be to gauge majority opinion with some consideration given to geographic or regional views. A Senate appointed or elected by the major regions, with Quebec and Ontario not having more than 50 percent of the representatives, could give balance to the House of Commons. The Senate could be focusing on issues like national priorities, Canadian identity, and defence, while the House would focus on money Bills and specific policies. The Senate would set a national course, while the House would reflect the will of the electorate. All constitutional amendments would be required to pass both Houses.

This has not been an academic paper but rather a reaction to the issue of national unity based on 48 years of life as a Canadian. We need a vision. We need commitment from all of us, particularly from our political leaders, to work on the issues identified in this presentation. That's not to mention that there are other issues as well that haven't been identified here. There are always solutions to problems, but we need this commitment and the political will to achieve these solutions. Above all, we need to feel that we are equal partners in developing the new Canada of the future.

MR. CHAIRMAN: Thank you very much.
Yolande Gagnon.

MRS. GAGNON: Thank you. I think one of the most interesting suggestions you made, one I haven't heard yet during these hearings, was that individuals and corporations should make donations to the federal government so it could pay down the debt. Have you talked about this with others? Is this a personal opinion, or do you have some support from other people who think the same way?

MR. ZBITNEW: You're asking the question: have I been laughed out of situations? No, I don't think so. I think people are prepared to buy in. If people can afford to buy in, they will buy in. I believe it's like buying a brick in the Citadel or whatever. If you feel committed to something, you'll do it, and if you have the money and can afford to do it, you'll do it. Now, I think there could be economic benefits built into it, and those benefits would not exceed the value to the nation. Obviously an accountant or someone would have to figure this out in terms

of the way it would be handled. The benefit to the country would have to exceed . . .

MRS. GAGNON: The taxable benefit.

MR. ZBITNEW: Yeah, the taxable benefit.

MR. CHAIRMAN: Other questions?

Well, I have one about the subject of education. We've heard a great deal about the necessity of setting national standards so students throughout the country can have transferability and so on, but we've also heard a great deal of concern expressed that the federal government is not in the position to provide that type of leadership and it has to come by a process of consultation and agreement amongst the provinces and, where the federal government has been involved at the postsecondary level, involving them as well. How would you see that being dealt with?

MR. ZBITNEW: I think basically the way our Constitution is set up, obviously the provinces have jurisdiction over education. But I believe there should be negotiations in terms of factors that affect the whole nation, standards being one of them, but certainly the whole notion of how we operate our universities across the nation. Maybe we don't need four medical schools in western Canada that are top-notch or whatever. Maybe one province has that medical facility with actually better equipment than the other three. I'm sort of skirting your question a bit here.

MR. CHAIRMAN: No; that's quite all right, because I think you've really answered the issue. We've done it in one instance. Having been the Minister of Advanced Education, I just thought I'd throw this at you. The veterinary college which is located in Saskatchewan is supported by the western provinces. You would like to see us take a much closer look at doing that sort of thing. As a non-Edmontonian or non-Calgarian, I've heard the question raised: do we need two medical colleges in Alberta . . .

MR. ZBITNEW: It's a good question.

MR. CHAIRMAN: . . . and two law schools? I can tell you the people of Calgary have pretty strong views on that. I don't want to get into the debate, but those are the types of things that do face politicians. We'd be here all day on that subject. Anyway, thank you very much for those thoughts.

Gary Horan.

MR. HORAN: Good morning, or good afternoon.

MR. CHAIRMAN: Just afternoon.

MR. HORAN: It is. I'll be as quick and to the point as possible.

The thing that prompted me to come here today is the fact that I've noticed a couple of words conspicuously absent from any discussions. The one word that comes through loud and clear in my mind – and I would suggest we all take a great big crayon and mark it down – is "equality." If we would welcome every citizen of this country to a free and equal association in Confederation, we wouldn't have to fool around with reworking the Constitution or refederalizing or whatever the buzzwords happen to be. A simple piece of legislation that would guarantee the equality of each citizen in this country and make it an

offence to discriminate for or against an individual based on race, religion, gender, or creed: pretty basic.

I'm sitting with a bunch of politicians. Who among you couldn't go out and sell the electorate on the idea of equality? I grew up for the last 47 years on the assumption that we did have equality, and it's only in the last 20 years or so that I've been seeing special treatment here, special treatment there, special treatment all over the place. It seems that the louder the enfant terrible hollers, the more money we throw at it. That wasn't necessarily focused at any given province, although it is interesting to note that between 1961 and 1988 the province of Alberta gave \$145.7 billion more to Canada than it received and the province of Quebec received \$136.5 billion more than it gave. During the national energy program I always thought electricity was energy. It was conspicuously exempted. Oil paid for it.

12:09

I would suggest there are several other words that we should mark down. If I sound like a redneck, it's not true, but I think it's time somebody called a spade a shovel. The definition of "sedition" is the causing of discontent, insurrection, or resistance against a government. We have several very conspicuous groups who have set out in an openly articulated agenda to set up their own little show. In both cases they're vanquished people, in both cases they were given a very fair deal after the wars were over, and in both cases they want more. Why? Because we've allowed them to. And once again, if we were to offer them equality – equality, equal responsibility, and equal opportunity. "Treason" is another word we could look at. There are some things I consider to be marginally treasonous.

As far as protecting the rights of the regions: a triple E Senate elected and equal in that it would act as a safety valve for Parliament, with two elected Senators from every province and region; Ontario and Quebec the same as anybody else. Then we would have the Senate functioning as a true safety valve. If legislation was palatable to all the country, fine; if it was preferential to central Canada, as most federal legislation seems to be, the smaller provinces could coalesce and stop it. It's very simple. It's very fundamental. I leave that for your consideration.

Quite frankly, I think this exercise speaks well for the province, and I thank you for the privilege.

MR. CHAIRMAN: Thank you very much, Gary. Perhaps as chairman I should jump in and say on the equality that of course in 1982 we did include the Charter of Rights and Freedoms in the Constitution, and indeed that does spell out the requirement for equality in all the areas you enumerated.

MR. HORAN: But it's not being adhered to.

MR. CHAIRMAN: Well, that's the dilemma, isn't it? It is part of the supreme law of the land, which is the Constitution. Your concern is that it's not being adhered to.

MR. HORAN: Or enforced.

MR. CHAIRMAN: Or enforced. Okay.

MR. HORAN: And quite frankly . . . Once again, I'm not a redneck, but this is my country. I have done business. It was my privilege to represent a group of broadcasters in Quebec. I was in the national advertising business in Toronto. I had

intimate daily dealings with businesspeople in Quebec over a long period of time. I respect and admire the people in Quebec as I respect and admire most people I encounter, but I think it's unconscionable that the federal government should tolerate this kind of abusive and, as I say, marginally seditious and treasonous attitude. If necessary, we have to remind them that the battle of the Plains of Abraham was won, it's over, and any individual is welcome to leave my country but he'd better leave the dirt behind.

My great-great-grandfather came to this country from middle Europe. Quite frankly, the cossacks came in and ran him off land that had been in the country for hundreds if not thousands of years. On my paternal side a similar thing happened in Ireland. So they both ended up here. They came here prepared to be committed Canadians. If I were to use the same rationale Quebec is using or other special interest groups are using, specifically native groups, and I were to make a representation to the Parliament of Britain or to Moscow claiming redress for wrongs done to my ancestors, what would their reaction be? They'd laugh me out of the box. We sit here and we dignify it. I'm not chastising anybody. I'm just incredibly frustrated because we're all responding to rhetoric that has been pre-designed to make us react in context. If we're not careful, they're going to get away with it.

MR. CHAIRMAN: Gary, do you think the province of Quebec should be able to control its language within Quebec?

MR. HORAN: As I said, if there were legislation that would make it an offence to discriminate for or against any person because of race, religion, language, or gender. The little girls – it was on the news this morning – in Montreal who are losing, I think, 5 or 10 percentage points because they were caught speaking English in the schoolyard: aside from being ludicrous, it's reprehensible.

MR. CHAIRMAN: Okay. Any other questions?

Well, Gary, thank you very much for your comments. One of the concerns we all have, of course, is to try and provide equality for the individuals in our society. It's been written into the Alberta Bill of Rights, the Canadian Bill of Rights, and now the Charter of Rights and Freedoms. How it's accepted in the hearts and minds of Canadians I guess is a big problem. You can write everything you want into law, but unless the people follow it, it becomes very difficult indeed for us.

MR. HORAN: Unless you act on it, or unless it's enforced.

MR. CHAIRMAN: Okay. Thank you very much.

MR. HORAN: Thank you very much.

MR. CHAIRMAN: Roy Pudrycki. Yes, Roy.

REV. PUDRYCKI: I did bring a script. It's this blue one.

Thank you for the opportunity to make a presentation. Is the first bell the 10-minute mark?

MR. CHAIRMAN: Yes, it is.

12:19

REV. PUDRYCKI: Okay. My general thesis is: is it proposed constitutional changes we're after, or do we even need to move towards redrafting the Canadian federation? It seems to me

that a committee like this and the nation face three options: simply to make cosmetic changes; secondly, to make some substantial changes which may or may not integrate; or thirdly, to make substantial constitutional changes that are consistent with natural and cultural realities and are determined by real needs.

Under the third one, then, which suggests substantial changes, I'd like to propose 10 theses. There are a lot of cosmetic solutions proposed, but finally I think our hearts are touched by visions. I'm not sure a committee can come up with a vision, but some individuals have them. In hearing all these presentations, perhaps you as committee members saw someone who has a vision. So we need more than cosmetic solutions.

It does seem to me, number two, that we are bogged down in bureaucracy and rhetoric at many levels. While one appreciates the chance to make a presentation in a forum like this, at the same time there are hearings and dialogues and commissions and reports, and do we not need to come to a short list of alternatives out of a process like this? We hear the Charter of Rights mentioned a lot. Perhaps we should really talk less about rights and balance that whole business with a charter of responsibilities. I did write a letter to the United Nations in that regard one day and never did get an answer. I'm sort of disappointed. Sure, we can say, "This is my privilege, this is my right," but good grief, if we wish to save the nation, we may have to start facing our responsibilities.

Thirdly, I ask if we are not stuck with artificial political divisions in this country, divisions called provinces. Perhaps one essential problem with Canadian federalism is that these divisions seem somewhat arbitrarily drawn up. Why should the maritimes be made up of four provinces, for example, or the prairies three? Some of the talk about unity and diversity seems too sentimental to be helpful in this regard. Perhaps the answer lies in going back to natural geography and obvious cultic differences rather than artificial politics.

That is to say, number four, could something be gained by recognizing regions? Now, I know there was a political party – I never did read their material – that called itself the Confederation of Regions Party, but maybe they were on to something. Perhaps the clue to redrafting the Constitution is to recognize these natural regions: the maritimes, number one; Quebec, two; Ontario, three; the prairies, four; the Rockies, five. And could we have a sixth area and call it the north and add in the aboriginals and so forth?

Is it possible, number five, that essential democracy takes place at a regional level? Perhaps each region is the essential area where democracy takes place and therefore is, in effect, sovereign. Perhaps federalism could be restored to its true function: to do together those things which regions by consensus choose to do. Maybe we're asking too much of federalism, as we ask too much of many institutions in our society. The schools are supposed to be counselors these days and social workers and all this. That's wrong. And maybe we're asking too much of federalism. Maybe the responsibility must be faced in the regions where the privilege is also enjoyed.

Number six: could the regions, then, decide on the order of the ministries? We have a new phenomenon in the country, and I'm not even sure it's new: the first ministers will meet on significant issues. There seems to be such a duplication of government, but maybe that is a very significant phenomenon. Maybe the regional leaders could come together and say, "Okay, these ministries will be regional and this other set will be federal, and then there will be a set of shared ministries" and so on.

Number seven: if that were possible, perhaps we could simplify the federal structure considerably. The United States of America has 250 million people and – what? – some 480 people in the House of Representatives. We have one-tenth that many people and about half as many MPs. Is that really necessary? Are we not overrepresented? Similarly with the Senate, we have more Senators than the U.S. and are one-tenth its size. Can we pare that all down because the function of the federal system is now different? It's a possibility.

Number eight: with this system, would it be possible to integrate the aboriginals? Suppose rather than the 285 Commons seats we had 120 and instead of 100 Senate seats we had about 60 and gave each of the six regions 10 seats, including the aboriginals. Would this be a way of giving them the essential forum they need to express their ideas and so on? Could we then perhaps if not do away with the department of Indian affairs at least move in that direction?

Number nine: a sharing formula, of course, would still be necessary, because while all the six regions have considerable resources – and it's an interesting exercise to try to list these resources; we're such a rich country – there would still be inequality. Transfer of payments would still be necessary but not on the kind of level we have now, and maybe we could then get away from blaming the feds for everything because we would have to handle this business regionally.

Finally, number 10: at least on paper one would have to say that the option to opt in or out of a system like this would still have to be there. But I can't imagine that any of the regions would opt out. It's interesting to see how Britain has made out in the European economic market. They couldn't stay out of it, and I don't think any region of this country could stay out of such an arrangement either.

On the second page of the presentation, I just sketched. I'm a layman in the field, but it's interesting to do some speculation on which ministries could fall under the regional category and which under the federal, which would be shared. Then I think there would also have to be some federal shadow ministries. They would have to have their hand in education and employment and so on, but basically those would be handled locally. Where a ministry would fit would be open to negotiation by the six regions.

With that I conclude my presentation.

MR. CHAIRMAN: Thank you very much. You've given a considerable deal of thought to this proposal. I appreciate that. Are there questions or comments? Yes, Pam Barrett.

MS BARRETT: Very good, very thorough. Just one question, and that is: would the regions in your formulation result in the dissolution of the provincial jurisdictions?

REV. PUDRYCKI: Effectively, yes. That doesn't mean that the names will disappear. I mean, if the prairies wish to have subregions and call them Alberta, Saskatchewan, Manitoba, that would be fine, but that would be one unit of the six.

MS BARRETT: So there would be one Legislature for that region.

REV. PUDRYCKI: Yes.

MS BARRETT: Oh, I wouldn't look apologetic. A lot of people are saying that. They want to get rid of some government layers.

Thanks.

REV. PUDRYCKI: One can see the implications of that. I mean, who's going to let go of their Legislature Building and all the rest? However . . .

MS BARRETT: Hey, life's full of change, right?

REV. PUDRYCKI: Yes, and this is what I mean by this isn't a cosmetic suggestion.

MS BARRETT: Yeah, it isn't. Very good thinking.

MR. CHAIRMAN: There was an interesting book a few years ago called *The Nine Nations of North America*. Where would Alberta fit? Only about 25 percent of Alberta is a prairie. Are we part of the Rockies, or is that all British Columbia? I'm just throwing that out as a thought. Fred Bradley here lives in the mountains. He's not a prairie guy at all. He's a mountain man.

REV. PUDRYCKI: A short answer would be that the western border would be redrawn and part of it would go to B.C. Cities would probably go to the central region.

MR. CHAIRMAN: Okay. It's an interesting thought. I notice your division of responsibilities in many respects is not unlike what is now in the Constitution of Canada. Sections 91, 92, 93, and 95 are fairly well set out there almost as they are in the present Constitution, so you don't envision a great deal of shift of responsibility.

Thank you very kindly for your thoughtful presentation.
Dean Smith. Welcome.

MR. SMITH: Good afternoon. My presentation probably will be a little scattered. I only heard of this opportunity last night, but I've been thinking of these issues for many years. I just want to share a perspective with you more than anything else.

My wife and I were actually in Japan while most of the free trade talks were going on. Also, I'm originally from Quebec, although English districts in Quebec, and therefore we missed the heated sign debate that went on in Quebec and legislation around that. So we watched these two events go by in Canadian history from a distance and viewed them from a very different perspective than you would have had here. That was actually quite mind-expanding and gave us a very different view of things.

12:29

When we came back, we settled in Alberta. I'm currently a graduate student at the U of A working on a PhD program there. Again it took us some time to filter back into the Canadian political scene and watch the media events and be able to connect to them as everybody who'd been caught up in this debate obviously did. We watched this Meech Lake debacle transpire over the national news. One thing that struck me very profoundly was that in spite of official bilingualism now for 20 years and the millions and millions of dollars spent on that, we still very clearly have the two dominant language groups in this country, at least a clear split. There was very little understanding and now very little tolerance and obviously great division between these two entities.

MR. HAWKESWORTH: Very little tolerance?

MR. SMITH: Very little tolerance. What was clear is that although official bilingualism came in, whenever it was, the late '60s, early '70s, and these tremendous resources were committed to it, they were obviously committed in the wrong direction, because to state the facts, it hasn't worked; we are more divisive now than we were in those days, I think. Obviously, Canada's gone through different cycles, and we've had these divisive debates at different points in our history and we're back again now, but this one seems to be the worst it's ever been, perhaps, since Confederation.

Basically, I want to divide my treatment here in three different groups: first, language; second, deal with provincial/federal issues in terms of jurisdictions; and thirdly, we go beyond Canada itself in the Canada/U.S. situation with free trade, because it obviously has an impact, at least in terms of finances, on Canada's resources.

The focus in the past has always been at the top. We've spent a great deal of money educating civil servants in Ottawa to speak French, providing services through provincial and federal government offices, and very little in terms of effective language education at a local level, at a provincial level, such that - I'm not, again, trying to push the idea that Albertans should learn French; I want to get away from that, and you'll see that in a second - we have very ineffective language programs, clearly. Most of the country is either unilingual French or English, and those who are bilingual now tend to be from ethnics other than either English or French. We've obviously failed here. We've been focusing at the wrong end.

I'd like to see an official bilingual policy in Canada, but it would be stated very differently, because obviously the last one got everybody's back up, especially in areas like Alberta and B.C. and the maritimes, and this I fully understand. You don't have a French history out here, so you can't see any obvious rationale as to why you should learn French, and there isn't one immediately. However, Canada is changing very dramatically. We are not only now dealing with the French/English division in the country; we have a very large multilanguage component and multicultural component to the country. That's going to be increasing in time, not decreasing.

What I would like to see in Canada in terms of language policy would be bilingualism. Either French or English would be an obvious requirement. You must have either one of those two languages. The second language would be your choice. Clearly, for most English Canadians, French would be an obvious choice, but it would be their choice and not compulsion. Similarly, for French-speaking individuals, if you have French, clearly English is the other obvious language you'd like to have whether you're within Canada or in the international context. However, if you're a native person and you speak some other language - i.e., Cree - or if you're an immigrant just recently in Canada and you speak Thai or speak Chinese, that can be your second language requirement and you then pick up either English or French, clearly. If this were required through the entire education system, from grade 1 right through the university sector, we would develop more of an atmosphere of tolerance to other languages. In fact, we should go beyond two languages and encourage multilingualism, if possible, within individuals.

What was very clear watching *The National* last year - it was the only time I ever saw what French Canadians see - was when *The Journal* ran a special program where they split the program, in fact ran simultaneous translation on the national news, and I saw what Francophones saw. I'd never seen that on Canadian English news. Similarly, Francophones saw what English

Canadians saw. I'm sure they never see that. The way that tragic incident of the Quebec flag that was trod on in southern Ontario, in Brampton or wherever it was . . .

MR. CHAIRMAN: It wasn't Brampton. Brockville.

MR. SMITH: Yes, it was Brockville. Excuse me. Another B word.

That incident played in Quebec very, very differently, obviously, than it did in English Canada. It was on perhaps every news broadcast every night for months on end, whereas in English Canada it was a flash-in-the-pan event. So the impact this has on individuals in those two communities is clearly quite different. We don't have cross-cultural news; we don't have cross-cultural education programs in this country beyond lip service at the federal level. The provinces traditionally have not been interested in doing it, perhaps largely because of funding, but also perhaps because of lack of motivation. Clearly, if we're interested in maintaining Canada as a unitary country, we now have the motivation to come up with better programs.

The language programs that I suffered through as a student in Quebec were really quite abysmal. I managed to get through my French language requirements but didn't learn, in fact, to speak French until I got to my bilingual university, the University of Ottawa, in Ontario ironically, and only learned then by my dealings with French students rather than through any formal education process. My wife and I were actually teaching English as a Second Language in Japan and saw what has transpired in terms of language education. There are really some remarkably effective programs now for all second languages which are quite different from what we went through. These are not currently run in the schools in Canada, nor are they in Japan by and large, by the way, or many other countries. Second-language education is usually done badly, and it has to change. We're spending a lot of money on it now, and we're getting very little for it. So that's the first thing.

One thing I can also share with you is perspective – since I did grow up, in essence, in Quebec, although English sectors, I have a number of French friends – the sense that what most Francophones feel now is, in essence, that English Canada doesn't care and that traditionally they have, in fact, been very second-class citizens. In Quebec up until recently, up until the PQ government came in, up until la Loi 101 when French was declared the official language in Quebec, they were second-class citizens in their own province. Excuse me for the use of this phrase, but it's actually very appropriate; it came out during the '60s, referred to Francophones as essentially white niggers in Canada. This is a very strong phrase, I appreciate that. But if you were a Francophone walking the streets in Ottawa, which is essentially 50-50 French/English, you walk into a restaurant, you order a coffee, and you say, "Un café, s'il vous plaît," a simple request, you're treated with dumb stares often.

A Francophone really has a very difficult time from a strictly sociological standpoint. Forget official statements in Constitutions, official protections. The day-to-day interaction a Francophone has outside Quebec is a really hard-edged thing for most of them and also for most immigrants to this country. We have a very large Asian community now, especially here in Edmonton. The prejudice that these individuals suffer from is really quite extensive. You only hear that if you know them on a personal level. We're not going to get beyond that unless we have one effective language program, initially to deal with the French/English bias we have now, and then a very broad-based cultural education program so we can avoid the obvious friction

we had over the turbans on RCMP. That was a particularly strong issue here in Alberta.

Most Canadians know nothing of other religions beyond Christianity unless they happen to be of another faith. This is ridiculous. We live now in a multicultural community, and it's going to be increasingly so. Again, multicultural education taken very seriously right across the country is essential.

Let me get off of language and move on to other things before my time runs out completely.

MR. CHAIRMAN: I just remind you that you have five minutes now.

MR. SMITH: Fine. Thank you.

In terms of federal/provincial powers, I'll just state a few quick points. I would not like to see a large reduction in the federal government in terms of its jurisdiction nor a reduction in provincial government. I would like to see Canada move towards a free trade zone within itself though. Moving between provinces is a difficult thing now beyond the logistics of actually moving: transferring loan programs; having banks recognize bank loans from one province to another; speaking strictly as a student, getting transfers of student loans between provinces. It's as though we're in different countries in many cases. This is really quite silly. We need far better co-ordination of programs at the provincial level, far fewer trade restrictions between provinces. I would not like to see any province take over the area of, for example, environment without national standards that would be applicable to all provinces, that would not necessarily be enforceable by the federal government. I could see a less adversarial system in which you would have expert committees chosen from appropriate disciplines to review, say, environmental impacts rather than federal boards or provincial boards, national boards but not federal government boards or provincial boards, national standards in these areas to prevent what is likely to be a major disaster in Quebec with the James Bay project, perhaps a major disaster here with the developing of forestry in northern Alberta, and similar projects in other provinces. There are obviously very great stakes here economically and environmentally in each of these areas, and it's not appropriate – it's an obvious bias – to let the provinces administer this or the federal government. It should be something done jointly, but we need minimal standards in environment, in health, and in other sectors of a similar nature.

12:39

One last point I'd like to make is on a slightly tangential topic, free trade between Canada and the U.S. Increasingly now for any new programs all levels of government are under tremendous duress. There's no money anywhere. That's well established now in most countries, not just Canada. Free trade is making it that much more difficult for Canada because we have to have a so-called level playing field; therefore, manufacturers here have to compete on the same level as manufacturers in the U.S. However, obviously the costs to manufacturers in the U.S. are substantially lower. They're a much warmer climate, which is an obvious difference, but it has major financial impact. Educationally they're behind Canada, although Canada's not much further ahead. Healthwise they're way behind. These are huge social costs that we bear that they do not bear. It's very difficult to see how we can ever have a level playing field with America. If we rip down the barriers, as we are doing right now, without any kind of back-up strategy, we will simply move to their level or eventually to Mexico's level, and I don't think

that's particularly desirable. At least I don't think so from my perspective.

One way around this, and I'm amazed it was never considered during the free trade debate, was that we should have a system similar to what Europe has in their European Economic Community. Not only do they have free trade between countries, but they have a political structure which oversees that entire interaction. All of those countries also have a similar level of social policy in terms of health, education, et cetera, which is not similar to the situation between Canada and the U.S. and, obviously, Mexico. We need a political structure which beyond our bilateral arrangements will allow us to influence U.S. policy if we are engaged in a free trade policy with them and similarly with Mexico. We need some way to be able to boost their minimum salaries, et cetera.

I will finish on that. On a national level obviously a triple E Senate is the way to be going. I don't think that's an Alberta or even a western issue; that's something many central Canadians and maritime Canadians would support as well. I'll finish there.

MR. CHAIRMAN: Thank you very much. You've given some thought and no doubt we could engage in a lengthy dialogue on the issue of trade matters, which of course are not strictly constitutional, but they have an impact on the economy in a very dramatic way, obviously.

All right. Questions or comments?

Well, Dean, I thank you very much for your presentation. We are drawing to the close; we have two more presenters, Bill Strawson and Nick Hertz, and then we will conclude this particular session. Thank you very much for coming forward.

MR. STRAWSON: Good afternoon, Mr. Chairman, fellow members of the committee. My name is Bill Strawson. I'd like to give you a little background on myself. I was born in rural Alberta, I'm 24 years old, and I now reside in Edmonton. I'd like to give you a perspective of what a young Albertan and young Canadian thinks of what is happening to our country. I'm fortunate to give you the rural as well as the urban perspective.

Quebec says it is not happy with Canada, and neither am I. We have made a great nation. Albertans have played a very large part in the shaping of this country. We as Albertans can share in Canada's triumphs as well as in its failures, but in its failures we must ask the question why. Why have we failed? We are facing one great failure right now; we do not have a constitutional deal for all of Canada and not a particular region.

To understand the people of this nation, we must accept who they are, where they've come from, and as well understand our past, because we are all Canadians first, and first we are all Canadians. There are people who will ask me: "What is a Canadian? Please identify." A Canadian is an individual who has valid citizenship of this nation. That is what a Canadian is. Nothing more, nothing less.

To understand the differences of our nation, I would like to address some of the areas that I feel need to be addressed so we can have a constitutional deal for all of Canada. One is the economy. The uncertainty of our nation puts our economy at risk in the international community. We must have political union to have economic union. As an Albertan I do not mind sharing our surplus with the rest of Canada, but it has to be fair. We gave oil; we did not receive our manufactured goods any cheaper, or power. As well, when we talk about, for example, unemployment insurance benefits, there are individuals in this nation who make \$90,000 in six months, and there are others who make \$35,000 and work for 12 months. The person who

makes \$90,000 can draw unemployment insurance while the person is working at \$35,000 for the 12 months. Should that person at \$35,000 a year go and support the individual who made \$90,000? It is not our problem as a government to support the individual if he cannot budget.

Two, the programs that the federal government implements on us. Programs in place for all of Canada, the majority of which are centrally located and implemented, I feel are wrong. How can they understand the programs that they are implementing in central Canada for different regions of this nation? I believe there should be some central planning, but the implementation of those programs should be left to the regions that they serve.

Reorganizing our Senate. The Senate must be reformed. We must have a balanced share of power in this nation. We have representation by population. It is time to have a regional voice.

As well, our interest rates. The government programs that have in the past helped densely populated areas of this country have had a great effect on other regions of this nation, most times at harm to other parts of the country. Those programs in the past have hurt us all. We must be very cautious and careful when we plan those programs to help some that we make sure we are implementing the programs for all of Canada, not for particular regions.

The rights of the citizens of our nation. Every person should have the same rights. We should not judge a person on religion, ethnic, culture, or sexual orientation. If we want Canada to be a fair place for all Canadians, we must grant every Canadian this right, for this is justice.

In conclusion, since the beginning of the BNA Act of 1867 we have not integrated the French or the native people. We must stop blaming administrations of the past, for all we are doing is blaming ourselves. There is no more time for blame, a failure of not answering the concerns of those we are speaking of today. There is time now for action, and action I ask for. We have no right to play with the futures of the young people of this country, for we will be there tomorrow, not the ones who will be there today. Looking forward, we must keep in mind: what can we afford as a nation, and what will it cost? We must have balanced budgets from all levels of government to secure a prosperous and healthy tomorrow for all. So let us look and learn from the past for a better tomorrow.

Thank you.

12:49

MR. CHAIRMAN: Thank you very much, Bill, for your thoughts that you've shared with us.

Yes, Pam Barrett.

MS BARRETT: A question unrelated to the content of your submission: were you present on Friday or Saturday at the hearings here at the Hilton?

MR. STRAWSON: No, I was not.

MS BARRETT: Actually it was a comment from the previous speaker that made me ask this question. The previous speaker said he'd been called last night that he could come in and present today. Was that true for you as well?

MR. STRAWSON: Oh, I had some time I was allowed to present this report.

MS BARRETT: Yeah. But you didn't ask on Friday or Saturday. You were advised afterwards that there was space.

MR. STRAWSON: Oh, I called the telephone number and spoke with a gentleman named Cameron, I think his name was. He arranged an appointment time for me, and this was the day and the time.

MS BARRETT: Oh, I see. So you didn't get a call. You called in.

MR. STRAWSON: I called in.

MS BARRETT: I see. Okay. Thanks.

MR. STRAWSON: Thank you.

MR. CHAIRMAN: That's a matter of interest to us because we've advertised extensively. How did you come to know of the phone number and so on?

MR. STRAWSON: Just through word of mouth, through individuals who were involved in some of the government programs, and the little booklet that was issued by the province, Alberta in a New Canada.

MR. CHAIRMAN: Okay. So you found out through that publication and you've read that.

MR. STRAWSON: Yes, I have.

MR. CHAIRMAN: Did you find that useful?

MR. STRAWSON: I found some of the comments in that publication interesting and some by individuals kind of ridiculous as well, but yours and Mr. Rostad's were notable.

MR. CHAIRMAN: I wasn't fishing for a compliment, but I'll take it anyway. Notable: I'll assume it was favourable.

MR. STRAWSON: Yes, it was.

MR. CHAIRMAN: Okay. Well, thank you very much for your presentation and for coming forward.
Nick Hertz.

MR. HERTZ: I did bring one extra copy.

MR. CHAIRMAN: Thank you. We will circulate copies, not just to members of the panel but also to members of the other panel who are now in Hinton doing what we're doing. There are 16 members, as you are probably aware, and we've split into two panels, so this is half the group.

MR. HERTZ: Thank you very much, and good afternoon. I just headed my topic Some Thoughts on the Constitution. In Canada we have two official languages, and whenever you have more than one language or more than one thought or idea, you have the possibility of conflict. It is how we mold those ideas or differences and build in our areas of agreement similarities and strengths that decide what kind of society or country we have. In Canada we have a strong central government and strong provincial governments who must share responsibilities for governing. Our central government should be responsible for defence, currency, banking standards, health care standards, education standards - national standards in education that would allow for mobility of labour so people can move from one

province to another without their children having a problem with schooling - areas of transportation, the post office, communications, international affairs, radio and TV licences, and, under international affairs, free trade.

When we look at Quebec as a distinct society from a cultural and language point of view, let me give you a few examples of the things I've experienced. Some years ago our daughter was involved in a student exchange program with Quebec. Both girls were in grade 11 at the time. After our daughter spent three weeks in Quebec, both girls returned to Edmonton for an additional three weeks. During the student visit to Alberta there was a wedding in our family, and of course our Quebec student was invited and attended with us. The next day she told me what a good time she had and how surprised she was that she was so well accepted in Alberta. She'd been taught or learned or heard that all westerners, particularly Albertans, were very hostile, anti-French and anti-Quebec. The point here is that ordinary people are slanted by the politics in their areas, and that may be far from the truth, as it was in this particular case. This young lady was so surprised that she could come to Alberta, she was accepted and was part of the flow, and no one really ever chastised her because she was French or she came from Quebec.

I do not speak French, and my high school French has long left me. Some three years ago I traveled to Japan on a business trip with 23 other Canadian businessmen from across Canada. Of the 24 there were five from Quebec who spoke no English and 14 of us who spoke little or no French. Our Japanese hosts were flabbergasted to see Canadians who could not speak to one another. It does sound out of place to have people from one country who cannot converse. So should we all learn French? Yes, I believe we should. Should it be compulsory? No. The world's getting smaller every day. When we're in a public place today and we hear someone speak French in Alberta, some Albertans, Canadians, get very upset, yet they will tolerate a European language and think nothing of it. The question is why. We need to assess our values and meet our fellow Canadians on level ground. It would appear that the west wants all Quebec to learn and speak English but they do not feel they should learn or speak French.

I headed another topic Federal Politics Favouring Quebec. I think a case could be made to say that Quebec in some areas has received favourable treatment from the federal government. How did Quebec achieve this? They have some 90 seats in a federal House of some 283 members. For many years the people of Quebec voted for one party federally and elected large numbers of members of one party. So they had 90 members who worked as a unit in the federal House. They accomplished a great deal. They did nothing wrong, merely worked hard for the people they represented who elected them, while the west elected a few members from several political parties who never worked together. Some now say these westerners sold out to the east and in particular to Quebec.

So are we Albertans first and Canadians second, or are we Canadians first and Albertans second? Are we prepared to listen and accommodate some wishes of Quebec where they fit into our Canada, just as we want Quebecers to accept our wishes when it comes to the English language and our natural resources? We need to get this message to ordinary Quebecers: yes, we want you in Canada. As I said earlier, when we have two or more groups, there will be disagreement. Each will have to be tolerant and give and take; otherwise, there will be no agreement.

If we do decide to separate, will that be the end of the conflict? Just because Quebec leaves Canada, will this end their and our problems? I'm afraid not. Nor will we end all conflict if we decide to remain one country. We need to instill in our people a sense of belonging and tolerance and accommodation. Our plan has to be built on the things that hold us together, and we must work on the things that attempt to split us apart. If we do separate, in my view items that split us now will multiply and will not decrease. We've allowed ourselves to get into this terrible situation, and unless there is give and take on both sides, there will be no agreement.

I wish the committee well in their deliberations.

MR. CHAIRMAN: Thank you very much, Nick.

Are there questions from the panel?

You asked the rhetorical question about why there is resentment on the part of some Albertans when they hear French being spoken as opposed to European languages. We've been hearing from a lot of people, and one of the things we have heard from time to time is that bilingualism has been forced on western Canada. That's the perception, and that is perhaps an answer to your question. The reality about bilingualism may be entirely different, but the perception does exist on the part of many people that it's a forced program. Perhaps that's why there is a resentment factor. I think that's really unfortunate, but I'm just trying to give you a little answer to your rhetorical question.

12:59

MR. HERTZ: I agree, but I think it's the way the program was sold. When it came in, the message was that everyone must learn French. I don't think that was the message at all. Everyone was encouraged to learn French. I don't think everybody was required or there was going to be a compulsion to learn French, but that's the way it came across and that's a mistake.

I think the reverse is true in Quebec. The situation there is that everything from the west is bad or everything from the English is bad.

MR. CHAIRMAN: Well, these are difficult perceptions to overcome. There's no doubt about that.

MS BARRETT: Yeah. Supplementary. On that subject, though, would you not acknowledge that in fact many of the opponents of the program also sold it as French being forced down people's throats as opposed to talking about the strict application of the program with respect to federal public employees?

MR. HERTZ: Oh, sure.

MS BARRETT: Okay.

MR. HERTZ: I think it was sold on the basis that you must do it.

MS BARRETT: No, but including the opponents to it.

MR. HERTZ: Yes.

MS BARRETT: Okay. Thank you. I thought that's what you meant.

MR. CHAIRMAN: Well, thank you. The copy of your brief we will submit to the other panel.

This concludes the presenters for this morning. I just want to thank you all. We on this panel, after hearings which commenced last Friday evening, have now heard approximately 115 presentations. Tomorrow we will go to Lethbridge and then to Medicine Hat and Calgary.

Next Friday afternoon from 4 o'clock until 10 o'clock in the evening, or perhaps a little later with appropriate time for some food in between, panel B, consisting of the other eight members of the panel, will be in this room. They will be here again on Saturday between 9 a.m. and 5 p.m., with an appropriate break for lunch. I know there are many people. As a matter of fact, I am sure it is full now in terms of the number of people who wish to make presentations to that panel as well. So we are hearing as many people as possible.

As I indicated at the outset today, this hearing opportunity today was made available in order to take care of people who had phoned in to our toll-free number and requested the opportunity to make a presentation. Quite frankly, I understand from my staff that since the hearings began and more public awareness came about, we had to put an extra person to answer telephones at that toll-free number in our offices. So public interest is certainly there. We are trying to respond as best we can to make sure the views of Albertans are known to this panel as we prepare a position for the Legislature of Alberta to debate and discuss as we move forward in this province with part of the national debate about the future of Alberta in the new Canada.

Thank you all for coming, and I thank my panel colleagues for their patience. Quite frankly, we've gone over our time by only about five minutes, so we've done not too badly this morning. Thank you all for being here.

[The committee adjourned at 1:03 p.m.]