1:02 p.m. Wednesday, May 29, 1991

[Deputy Chairman: Mr. Schumacher]

MR. DEPUTY CHAIRMAN: If the committee would come to order; it is now after 1 o'clock.

On behalf of the committee I'd like to say that it's very nice to be in Hinton, and we welcome Jerry Doyle, MLA for this constituency.

MR. DOYLE: And welcome to the committee, Mr. Chairman. I'm pleased to see you could make it to my riding.

MR. DEPUTY CHAIRMAN: Thank you. I will introduce the committee, and then allow you a few words of welcome, Jerry. But just so everybody in the room – I guess we have two members of the audience who have arrived.

MR. ANDERSON: Maybe we should have the audience introduce themselves.

MR. DEPUTY CHAIRMAN: I think they will be introduced. But just so that they know who is present, we'll start on the chairman's far left with Barrie Chivers, who is the MLA for Edmonton-Strathcona and the newest member of our Legislature. Beside Barrie is Pearl Calahasen, the MLA for Lesser Slave Lake, and on my left is Dennis Anderson, the MLA for Calgary-Currie. My name is Stan Schumacher, and I represent the Drumheller constituency. On my right is the Hon. Nancy Betkowski, who represents Edmonton-Glenora. On her right is Stockwell Day, the MLA for Red Deer-North. On his right is Sheldon Chumir, the MLA for Calgary-Buffalo. Beside him is John McInnis, the MLA for Edmonton-Jasper Place, and last but not least, our host this afternoon and evening, Mr. Jerry Doyle, the MLA for West Yellowhead. We're happy to be with you, Jerry.

MR. DOYLE: Thank you, Mr. Chairman. I want to welcome all the members of the Legislature, my colleagues and all. I'm very appreciative that you picked the centre of the community of West Yellowhead to hold the hearings, and I hope that we have a good turnout from throughout the riding. Thanks again.

MR. DEPUTY CHAIRMAN: Thank you.

For the presenters, we have been in the habit of allowing 15 minutes for the presentation. The Chair would say, though, that this afternoon we are not fully booked, and therefore the Chair will not be too strict on the timing. So I think everybody can feel that they can take their time, except that I suppose this shouldn't be an invitation for unfocused remarks. In any event, our first presenter is Ms Jane Bebensee, and the committee would invite her to come to the table.

Welcome to our proceedings, Jane.

MS BEBENSEE: Thanks for coming to Hinton. I hope there are more people that come. I think I gave Mr. McDonough a copy of what I was going to say. What I actually have to say is quite brief. I guess I want to preface the whole thing by: this isn't the only concern that I have in terms of Alberta and Canada. I'm sure there's lots more, but this is one that I wanted to address, that's all. So that's it. Okay?

MS BETKOWSKI: Thanks for coming.

MS BEBENSEE: That's fine.

MR. ANDERSON: Jerry's just getting lunch.

MS BEBENSEE: Oh, are you just getting lunch? Right.

I think it's excellent that we as just regular citizens, not members of any kind of interest group or anything, can make presentations to this committee. Now, my presentation I guess is more on the line of constitutional change in terms of Canada, but education is a provincial jurisdiction, and so my presentation is along here.

MR. DEPUTY CHAIRMAN: Well, you will be asked, I can assure you, how that can fit into the federal scheme of things.

MS BEBENSEE: Right. Okay. I think I've already actually outlined that in my . . . All right.

Committee members and ladies and gentlemen, I'd like to preface my brief my stating that I am not a member of any religious organization, and I guess I also would like to state that I'm not against any kind of religion – all right? – because I don't want it to be seen as discriminatory. I welcome this opportunity to speak to you today. I am making this presentation with the hope that the government will listen and act upon the views of ordinary Canadians like myself. Your committee was put together to determine the kind of Canada and Alberta that people would like. I will outline what I believe to be one of our major problems, one that threatens our individual freedom, and the constitutional change in terms of federal constitution that I could see being made.

At the present time we are striving to achieve Canadian unity, unity being defined as the state of not being multiple; in other words, having one system that provides equally for everyone without discrimination or prejudice while encompassing our tremendous cultural diversity. One way of fostering this unity, I believe, is through a system of public education that is open to all children exclusive of their race, colour, sex, or religion. The purpose of this system of education is to improve the quality of life by providing equal opportunity to all. Now, I know that it is slightly different for Alberta than it is for every other province; I'm quite well aware of that. However, at the present time one system does not exist. One group enjoys a special privilege with regard to education.

The Roman Catholic church with their system of separate schools has the constitutional right to discriminate on the basis of religion. This inequity is fully supported by our tax dollars. No other minority religious or private school receives this special status. The powers of the federal and provincial government were based on the Constitution Act of 1867. Section 93 of the Act gave Roman Catholics a religious privilege that was granted as compensation for religious intolerance at the time. The majority imposed its religious imprint on the public school system, and the minority suffered. I'm thinking primarily there of Ontario; that's what happened there. Today, however, religious intolerance has almost disappeared, and we have a country that is home to people of many different religions and cultures. To continue to compensate the Catholic community for an injustice which no longer exists imposes a grave new injustice on all other faith groups and citizens of Canada.

Part 1 of the Constitution Act of 1982, the Charter of Rights and Freedoms, guaranteed equality for Canadians under the law without discrimination on the basis of race, colour, sex, or religion, yet we violate our own Charter by allowing one group special privileges to discriminate on the basis of religion. The

fact that the Supreme Court of Canada in a vote that was not unanimous concluded that Bill 30 – that was an extension of public school funding for Ontario separate secondary schools, and again I use that example; I know the situation is slightly different in Alberta – was constitutional does not make it right or fair. It is wrong when the Charter of Rights and Freedoms allows one group a power that is denied to others. This is not equality. It is wrong when the government allows children of one religion to attend nonsecular schools while barring children from other faiths from attending these same publicly funded schools. It is wrong when non-Catholic teachers are discriminated against in hiring practices at these publicly funded schools while the public system does not discriminate on the basis of religion.

Therefore, I would like to see section 93 of the Constitution Act changed. I would like to see a clause written in that would specifically and clearly set out a complete separation of church and state. We should then over a reasonable period of time, say five to 10 years, dismantle all publicly funded separate school systems; in other words, have one only. A secular school system would create many benefits for Canadians. Most importantly, having one publicly funded school system would guarantee all Canadians equality in terms of education. All would have equal opportunity, and no one group or individual could claim special status. Secondly, the savings in tax dollars would be tremendous. No longer would there be a duplication of programs, administrators, computer systems, transportation systems, et cetera. The quality of the education could only improve. Dismantling the separate school system would constitute no injustice to Roman Catholics but merely require them to forgo a special privilege that is denied to others. They should realize that the freedom of no one is safe unless the freedom of everyone is safe.

In conclusion, I believe that religious teaching of any kind has no place in tax-supported schools. It fosters discrimination and divisiveness at a time when we are trying to integrate the various cultures that make up our country. I'm calling on you to take back to the government my views in relation to education. I believe that the citizens of Canada will support initiatives that are right and fair. Canada is greater than the sum of its parts and will be truly great when all Canadians are equal under the law. Above all, we must make sure that no citizen of Canada is now or ever in the future privileged or disadvantaged because of his or her religious faith or absence of faith.

That's it.

MR. DEPUTY CHAIRMAN: Thank you very much, Jane.

MS BEBENSEE: Have you questions?

MR. DEPUTY CHAIRMAN: Just have a chair for a moment, and we'll see if there are some questions.

MS BEBENSEE: Certainly.

MR. DEPUTY CHAIRMAN: Sheldon?

1:12

MR. CHUMIR: I do have some questions, yes. Thank you very much for your presentation. I want to ask something in relation to other school systems, particularly private schools, because at the present time the provincial government provides some funding for private schools, and there are many private religious schools. I'm wondering whether you would subscribe to the funding of those schools on the philosophy that you'd like to see a society in which everybody has that funding, or whether you feel that that should not be funded as well.

MS BEBENSEE: I think when I talked to Alberta Education they said that there are two systems of funding private schools. If it's an accredited private school, out of general revenues – not out of property taxes but out of general revenues – schools in Alberta receive 75 percent funding as opposed to the 100 percent funding for the separate and public school systems. The nonaccredited schools: as far as I'm concerned – which you can tell, eh, Ms Betkowski? – I think they are not fully supported, but they also do not have to subscribe to the Alberta program of studies. They have to have a curriculum that's approved. Personally, I would say no: no special funds for any private school, whether it's religious or academic or cultural.

Now, what I would say: we would have one system only that's open to everyone regardless or exclusive of any of their personal beliefs. If you wanted a private school, whether that's religious, academic, or cultural, then that would have to come from individuals. I think we could use school buildings and that sort of thing after the public time – you know, with the community schools and that – for any kind of cultural or religious program. That would be fine as long as it was not funded by public money, or school taxes I guess.

MR. CHUMIR: Okay. A related question. You refer in your presentation to fostering of divisiveness at a time when we're trying to integrate the various cultures that make up our country. This raises a question of our overall multicultural policy. We've heard criticisms from presenters previously this week, and suggestions have been made that in terms of multicultural policy the promotion of culture, linguistic retention, the preservation of the different groups is the responsibility of those groups and should not be the focus of special funding and promotion by the community through the government. What would your views be with respect to that issue?

MS BEBENSEE: In terms of the public education system I don't believe that we are under any obligation to try to promote any cultural groups. That's my overall idea. All right? However, many different groups in our society receive money for their own vested interests in organizations like, you know, environmental organizations; many different groups do receive grants for the operation of those sorts of things. I have no problem with cultural groups receiving those same kinds of grants. Okay?

As well, in Alberta I wouldn't want to see it like a national education system. I don't want to see that. I think each province should still have the right over education, and then following that, each school board also has a right to look at some of the programs they offer. Now, I'll give you an example. Say if here or in Grande Cache there was a large population of native students and the school board there decided that one of the programs in the public school time should deal with native culture for a lot of their students, for an understanding in the community, then that would be okay as far as I'm concerned. What I'm saying is that there should not be two separate systems of school; one only for everyone. If you want something different in terms of an individual belief, I guess, that's when you have to pay for it yourself. But cultural groups could receive some money on a different kind of granting system, if that's how it was set up in the province.

MR. CHUMIR: Do you have any sense at all of the way in which the multicultural policies we've been following have been divisive in terms of focusing more on divisions and differences between individuals and groups rather than bringing them together, as we've heard some of our presenters tell us?

MS BEBENSEE: Are you talking just about in school?

MR. CHUMIR: No.

MS BEBENSEE: Or talking generally?

MR. CHUMIR: I'm talking in the broader multicultural policy which has been so much debated in the last year or so.

MS BEBENSEE: When we talk about multiculturalism, I don't think those programs that individuals participate in do foster that sort of divisiveness. No, I don't think they do. I think they probably lend to a greater understanding, I would say, actually. So I wouldn't criticize our multicultural policies except in the area, I suppose, of education in terms of what I'm talking about: one system only.

Now, I know that we run into a bit of a problem when we talk about Quebec in terms of language policy. Okay? One of those things, I guess . . . Have I answered your question, though, before I go on?

MR. CHUMIR: Yes, you sure have.

MS BEBENSEE: Okay. The amending formula in the Charter of Rights and Freedoms, or the Constitution of 1982, allowed provinces a power that I don't believe probably they should have had in terms of being able to veto certain legislation.

MS BETKOWSKI: The notwithstanding clause.

MS BEBENSEE: Yeah. What did I say? The notwithstanding; yes. Sorry. That's what I meant.

I don't criticize our multicultural outlook for Canada, but perhaps the notwithstanding clause should not have been in there to allow a certain province to then start to discriminate on the basis of language, for example. Okay? However, I go back to what I said previously, and that is that in the case of provinces and in the case of certain areas, they should be able to offer programs that are specific just to that area.

MR. DEPUTY CHAIRMAN: Just to keep the record straight: the notwithstanding clause does also apply to the federal government.

MS BEBENSEE: Okay.

MR. DEPUTY CHAIRMAN: It applies to everybody who is subject to the Constitution.

MS BEBENSEE: Right.

MR. CHUMIR: Mr. Chairman, I do have some other questions, but I'll yield the floor. If we have time, if there isn't a lot more, then I might come back to one or two.

MR. DEPUTY CHAIRMAN: John, please.

MR. McINNIS: Thank you, Mr. Chairman. Jane, I was just looking at section 93 of the Constitution Act, which predates Alberta entering Confederation, but there's a reference to section 17 of the Alberta Act which in effect applies the same rights to Catholic and, I suppose, non-Catholic education systems. I'll just read part of section 17. It says:

> Nothing in . . . law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of passing of this Act.

I take that to be a recognition that the right to Catholic education and non-Catholic education predates Alberta's creation as a province, so in effect we're talking about something that goes back a very long time in the basic law of our country. I wonder if that puts any different perspective on it from your point of view: that these are rights that have been in our Constitution since before we were a province.

MS BEBENSEE: Yes. As I mentioned, it was really the Constitution Act of 1867 that outlined these rights. In this respect I don't believe that we should carry on that particular tradition, because it's an unequal right for certain groups. The whole reason for me seeing this one public system is that all of this money and effort and energy – I'm not talking just about the money; I'm talking about the energy that is focused into education in this present day needing to have one focus in terms of a school system. So regardless of whether or not it has a historical basis, when it was written in, there was a reason for it. But no, it doesn't change my mind. I think the Constitution Act should be changed.

MR. McINNIS: So you have no difficulty with taking away a constitutional right.

I just wanted to question you about . . .

MS BEBENSEE: Well, just a moment. It is a right that others don't have. It is a constitutional right . . .

MR. McINNIS: Oh, yes.

MS BEBENSEE: . . . you know, that's gone to the Supreme Court of Canada, but it is a right that only a select few have. It is not a constitutional right for everyone.

MR. McINNIS: Well, that's actually the point I'm getting to. I believe I want to challenge the notion that it's a humongous waste to have the two systems, because every child is entitled to an education. You agree to that.

MS BEBENSEE: Uh huh.

MR. McINNIS: In recent years it seems to me that the Catholic system has become an alternative within the public system; in fact, I think of the Catholic and public systems as being jointly the public education system. Then you have private schools. That's a different issue, but you know, within the public system you have Catholic schools and you have non-Catholic schools. In some cases, the public board is actually the Catholic board because that's the majority within the district, but what it means in provinces that have this system, including our own, is that parents have a choice of which of the two streams they can go into. Do you see that as being a benefit that's available to parents?

1:22

MS BEBENSEE: Well, I guess I'd have to say no, I suppose. It goes along with my presentation. For example, I think I cited an example – and I'm not sure. I tried to find out in terms of Edmonton whether or not, if enrollments at a separate school got to the level where a school was overcrowded, they would then say, "All right; any new people coming in have to be of the Catholic faith in order to go to this school." Can anybody answer that question? I tried to find out, but do you know, Ms Betkowski?

MR. McINNIS: I think sometimes school boundaries are closed because of population.

MS BEBENSEE: Right. No; I'm not talking about school boundaries.

MS BETKOWSKI: When you're of the minority faith, you are automatically part of a separate district if it's been created. If you as a nonmember of that faith opt into that system, for all intents and purposes you're declaring yourself to be of the minority faith.

MS BEBENSEE: Right. I understand that, but can there ever be, say, for example . . .

MS BETKOWSKI: A limit on numbers?

MS BEBENSEE: Uh huh.

MS BETKOWSKI: No.

MS BEBENSEE: That's not allowed in Alberta.

MS BETKOWSKI: Well, it's constitutionally not allowed because as many as who declare to be of the Roman Catholic faith or the minority faith . . .

MR. CHUMIR: You don't have to be of the Roman Catholic faith or declare to go to the Catholic school. You have 500 Jewish kids going to the Catholic system in Calgary.

MS BETKOWSKI: Yes, okay, but in the eyes of the law you have made a declaration.

MR. CHUMIR: If you pay taxes.

MS BETKOWSKI: And in the eyes of the law you have declared yourself to be of the minority faith.

MR. CHUMIR: But you don't have to pay taxes to send your kid to a Catholic school.

MS BETKOWSKI: No; she wasn't asking about taxes.

MS BEBENSEE: No. I'm still not sure . . . It's great for parents to have a choice, okay? You know, I'm a parent too, and it is a good thing for parents to have a choice. But we can see an example now; it is in Alberta. That's what I'm asking. Say there was a school that is absolutely overcrowded and they need more room, yet children of other faiths keep coming into that school. Say, for example, they live closer to that school. It's a lot easier for their kids to go, but the number of kids in the school gets to a point where any new entrants have to be a member of that religious faith. I know it's happened in other places in Canada, and I gave you an example. Again, it may not be happening right now in Alberta, but it has happened in other places. Therefore, myself as a parent would not have a choice if that happened. Therefore, I say one system.

MR. McINNIS: Just a final question. Have you compared provinces that don't have the two systems with our own to see how much tax money you think might be saved? Any idea, or have you done any research along those lines?

MS BETKOWSKI: They all do. She doesn't have to do research.

MR. McINNIS: Well . . .

MS BEBENSEE: No; that's a fine question, but I don't believe there is any province that does not have a separate system, is there?

MR. DEPUTY CHAIRMAN: No; that's right.

MS BETKOWSKI: It's a constitutional right.

MS BEBENSEE: I believe there are provinces that do not allow any kind of funding for other than a public and a separate system, no funding at all for any other cultural group or religious group or academic group. I think Newfoundland has – I'm not sure of this. I'd better not say it because I think Newfoundland has separate school systems for some other different thing. But as I said, this is only one thing I think of Canada, but it's a presentation that I thought I would bring up. Okay?

MR. DEPUTY CHAIRMAN: Mr. Day.

MR. DAY: Thank you, Mr. Chairman. Jane, I appreciate your comments. It was an interesting idea about independent school groups being able to use the buildings themselves after hours. That, I think, would be well received by groups that couldn't be funded, because capital costs often are what keep them from even starting. That's an interesting suggestion.

Since you want one system only, what about on native lands, aboriginal schools? Are you saying they shouldn't be allowed to exist?

MS BEBENSEE: No, I'm not saying that.

MR. DAY: So you'd make an exception there.

MS BEBENSEE: You see, this is one other thing I wanted to talk about in terms of constitutional change, I suppose. I think if any group was supposed to receive any kind of special status, it would have to be the natives. They're the only group in Canada that I can see that it would be fair to receive special status and not necessarily just in education. However, right now native schools are funded by the federal government, are they not? Isn't that their jurisdiction? I believe it is. Or is it? You're right there, so you know.

MS BETKOWSKI: If they're on a reserve.

MS BEBENSEE: If they're on a reserve school, then yes, because that would be the only school there as such. It would still be the public school on the reserve.

MR. DAY: Right. So as far as the constitutional change, you would make the exception for the aboriginal schools.

MS BEBENSEE: I don't think it would have to be made.

MR. DAY: Because the Constitution is federal.

MS BEBENSEE: Well, the Constitution is federal, and also the fact is that on a reserve, if it's a native school, that would be the public system there. There wouldn't be two schools; only one.

MR. DAY: Also, you mentioned you wouldn't want the teaching of any kind of religion in public schools, but you did feel it's justified to allow native culture to be taught in public schools. Yet, of course, native people have very strong spiritual roots. It would be impossible for them to teach their culture without their spirituality. Within a public school, then, you would also make an exception for aboriginals to teach their religious roots.

MS BEBENSEE: That's actually a very good question. I'm thinking more of organized religion, truly, instead of the spiritual component of the culture. Then again, I think you can argue it this way and say that every culture actually has a spiritual component. As I said before, if there is a school system, say, for example, in Hinton, and if we wanted to incorporate a course or a certain period of time on native studies because in our particular community we needed that or it was seen as a good thing by the school board, then that would be fine. The same would go for a school on a reserve.

MR. DAY: With this constitutional change you would be saying to the province of Quebec, which is overwhelmingly Catholic, a huge percentage, that their system . . . Is that what you're saying?

MR. DEPUTY CHAIRMAN: She'd be saying that the Protestants wouldn't have a system.

MR. DAY: Well, I'm asking directly to Jane here: are you saying to a province that's overwhelmingly Catholic, "Sorry, your schools have to go," the entire Catholic component? I'm not pressing; I'm wondering what extent we're talking here.

MS BEBENSEE: No, no. I'm glad, actually, for the question because it makes me think too. You know, there are times when you think you've got everything completely figured out, and then somebody asks you another question.

MR. DAY: Politics is like that.

MS BEBENSEE: Well, I guess it is. You would know, I guess, all of you.

Actually, I believe that there's a trend in Quebec to switch from parish schools to language-based schools. I believe that's what's happening right now, and actually I think I read something, and I can't remember what it was. It was after Bill 30 and the Supreme Court thing. They saw even section 93 as a kind of a roadblock in establishing linguistic school areas. So what I'm saying again: yes, in terms of language, this is where it becomes a little stickier. But then again if the major language in, say, Jonquière is French, then obviously the school is going to be in French. But I still say no religious basis.

MR. DAY: So you would say that to the province of Quebec, to remove all Catholic, religious teaching from your schools?

MS BEBENSEE: Yes. Not just Catholic religious but any kind of religious teaching, although I realize it sounds quite simplistic. Now, I want to point that out, and I'm sure it's much more complicated than that.

MR. DAY: You make a comment that the quality of education would improve with just one system. The literature that I'm familiar with suggests otherwise, that wherever you've got competing systems, quality tends to improve. But if you have literature showing where that exists, that just one system yields better, if you could forward that to us, that would be great. Thanks a lot.

MR. DEPUTY CHAIRMAN: Mr. Chivers.

I'd ask members of the committee to try to speed up a little bit because we've gone a long way over time.

MR. CHIVERS: Thank you, Mr. Chairman, and thank you, Jane. You're acquitting yourself very well here. However, I think something that appears at first blush to be very simple and straightforward sometimes on closer examination isn't.

You started your discussion with reference to section 15 of the Charter, the equality without discrimination section. I wanted to draw your attention to the very next subsection of the same section, which is what's called the affirmative action section. In section 15(1) we guarantee rights of equality without discrimination on account of sex and all those other things. But in the next section we recognize almost immediately that equality defined in that way can create other types of inequalities, and therefore it's necessary under subsection (2) to state that this

> does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

I'd like your views. Do you in general support that kind of an exception to equality rights, affirmative action? For example, in the area of women's programs, when we recognize that women are disadvantaged and we want to promote equality for them, then we have to have affirmative action type programs. Do you support that type of program?

1:32

MS BEBENSEE: Yes. Just as I was saying to Mr. Chumir, I am not against the government, whether it's provincial or federal, funding different cultural or disadvantaged groups or what have you. I mentioned the environment, but it could be women's groups. It could be groups for the disabled. It could be the CNIB. It could be any range of interest groups, okay? I don't have any problem with that kind of funding, but in terms of education I still believe that a religious group is not disadvantaged in terms of the Charter.

MR. CHIVERS: That comes to the second part of my question. I want to take you to then juxtapose, to put together and consider in context, section 93, which is really a minority religious educational rights protection section, and section 23 of the Charter, which is the minority language educational rights protection section. You're familiar with section 23, which protects minority language rights in the provinces? I'm just wondering what your position on section 23 is. Would you be supportive of minority language educational rights protection?

MS BEBENSEE: I would of the two official languages.

MR. CHIVERS: Of the two official languages.

MS BEBENSEE: Yeah. You know, I think it's wonderful in this province and actually throughout Canada that we are able to take advantage of learning the other official language that is not our mother tongue. I think it's wonderful, so I'm glad that is in the Act.

MR. CHIVERS: Now, that's also in a sense a historical accident.

MS BEBENSEE: Yes, it is. Absolutely.

MR. CHIVERS: And it doesn't encompass aboriginal rights.

MS BEBENSEE: No.

MR. CHIVERS: It doesn't encompass recognition of aboriginal people, so I wanted to draw your attention that there may be some inconsistency with the position which you're advocating with respect to protection of minority religious rights and your acceptance of protection of minority language rights.

MS BEBENSEE: I actually don't see any similarity, Mr. Chivers, between religious rights and language rights.

MR. CHIVERS: Except that they're both what's protected. As for the official languages, that's an accident of history in a sense that it was French and English. It could just as easily have been other languages that might have been protected. The religious rights are protected also as an accident of history. If we were drawing a Charter today or a Constitution today, we might well want to protect other sorts of religious groups than perhaps Catholic and Protestant, which were protected as a result of the historical context.

MS BEBENSEE: Okay. Can I make a comment? Is there still time to do that? Briefly.

MR. DEPUTY CHAIRMAN: Quickly.

MS BEBENSEE: Okay; good. You've certainly stated that, but again this whole committee was put together to find out what we as Albertans and Canadians would like to see, say, if a new Constitution was written. In terms of language rights I think it actually in the long run has been a good thing for Canada. So I would not personally see that section changed, but I would not give any protection to any kind of religion. Whether that's Catholic or Protestant doesn't matter to me. So I would like to see section 93 changed; section 23 could stay.

MR. DEPUTY CHAIRMAN: Thank you very much, Jane.

MS BETKOWSKI: Thanks.

MS BEBENSEE: Thanks very much for your time.

MR. DEPUTY CHAIRMAN: The Chair apologizes to other presenters for imposing on their time. I'll try to control our members better hereafter.

The committee would invite Jim Coulter to come forward, please. Welcome, Jim.

MR. COULTER: I have a few very short comments to make here. However, I feel that, generally speaking, most of your Canadian citizens will agree with them.

The first one I'm going to make is that the constituencies for the MPs – I'm referring to federal – should have control over their MP, and if he does not do as he said he is going to do, then they should have the authority to recall him and fire him and send him down the road just the same as anybody else would fire you if you didn't do your job at your work.

Now, another thing is to return all persons fleeing justice from democratic countries immediately. I refer in particular to the Ng case. Now, I don't think there's any argument there that the average citizen is pretty sick over that one.

Another thing – this one is a little more controversial – is stop supporting the communist governments and movements at home and abroad. They've failed all over the world. There have been millions and millions of lives lost trying to get these governments out, yet our government is supporting some of these movements to get them in power. The one I'm referring to initially – and there are other ones of course – is the ANC in South Africa. They openly say that they are going to burn people with this – they call it 'tire-ing.' They did it. They were doing it a rate of 12 to 13 of them a day for quite a long time until the South African government declared a state of emergency and put a stop to them. Well, then our brave newspapers and CBC and so on said that they are taking the rights away from these people. Now, why did we support those people?

In Australia they have an arrangement. The Prime Minister selects about half of the cabinet ministers, and the caucus selects roughly the balance. If the Prime Minister decides he doesn't like that cabinet minister who has been selected by someone else, he fires them, but they have the right to turn around and replace him. Now, we've got to get rid of this business where the Prime Minister is a dictator. In fact, that is the situation in Canada.

Something else that's been left out of our rights is the right to own property. I don't think that was just a slight oversight; I think that was deliberately left out. If we can't do it in the federal system, I would say that Alberta itself should try and put that in in some way, even if it's only in Alberta that you have the right to own property.

Another thing: a person with some allegiance to another country should not hold public office, particularly federal politics or even provincial. If they have a sworn allegiance to another country, probably one which is hostile to us, and have openly declared hostility to our system, they should not be allowed to serve in our political system or our civil service. If you don't know who I'm referring to or what I'm referring to, I'm referring to people who belong to what they call the Socialist International movement. There are a great number of them, and they are in our politics. You all know, well know, and the public knows it too.

Another thing: our immigration. We have our Prime Minister over now trying to get a bunch more immigrants to come into Canada here. Our educational system cannot handle the ones we've got. Our people are known worldwide as not being technically advanced, and that is very, very, very true. Yet we're hauling these people in; we're spending monstrous sums of money on them to get them to speak our language and send them to school. Our own Canadians are suffering from it. These minorities can walk in and use their organized influence, and they can insist that their people get the education. Our own can't, and all this is being done by the public purse. These are things Canadians are really fed up with.

Do you fellows have anything to say?

1:42

MR. DEPUTY CHAIRMAN: We just want to make sure you're finished, Jim, before we interrupt.

MR. COULTER: Well, I may not be finished, but pretty close.

MR. DEPUTY CHAIRMAN: Who would like to begin? Barrie.

MR. CHIVERS: Jim, you heard the previous presenter, the presentation that was made just in front of you?

MR. COULTER: I heard some of it, yes.

MR. CHIVERS: I'm just wondering what your views are with respect to the protection of religious educational rights in the Charter, section 93.

MR. COULTER: Sir, I'm not a specialist in that. To make a statement on something I don't know anything about, I would be putting my foot in my mouth, and I'd rather not do that.

MR. CHIVERS: Fair enough.

MR. DEPUTY CHAIRMAN: Mr. Day.

MR. DAY: Politicians would do well to follow advice from you on that last one, Jim. I appreciate your coming today and taking the time.

In terms of federal/provincial powers as you see them today, without having me get specific because it can get sort of drawn out, do you generally feel the distribution of powers right now is about right? Do you think there should be more provincial power, or do you think the federal government should have more power? Would you say status quo, more to the province, or more to the feds?

MR. COULTER: Well, if the federal government does not change its ways, I don't think we have any choice but for the provinces to go for the power. They'd be awfully foolish and stupid if they didn't. Is that what you were interested in?

MR. DAY: Yeah, I was just wondering what your sense was.

MR. DEPUTY CHAIRMAN: The Chair doesn't generally ask questions and I don't think the Chair could be accused of dominating these meetings, but would you say your impression is that our present Constitution is being honoured in the way the discharge of responsibilities is being undertaken?

MR. COULTER: I would say our present Constitution is being misused terribly. Actually, if they don't change and start using some common sense, it doesn't matter what Constitution you have, it isn't going to make any difference whatsoever. They do not go to the people. They've got the Spicer commission going now at a cost of fabulous sums of money. All they had to do was go and ask the question. And they've known the answers for years. There's nothing new. They're not going to learn anything that they didn't know already.

MR. DEPUTY CHAIRMAN: What I was getting at: in our present Constitution there is a list of responsibilities that are supposed to be federal, another list of those that are supposed to be provincial, and there are very few that are shared between the two. Do you think that the way things are being administered now, it's following that division?

MR. COULTER: I would say it's being abused, period. No matter what rules you make, these things can be abused.

MR. DEPUTY CHAIRMAN: Would you say it's the federal government that's abusing the system?

MR. COULTER: I feel it is, myself. I feel it is.

MR. DEPUTY CHAIRMAN: Thank you.
Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. Jim, you mentioned the concept of recall, of firing your MP if he didn't do what he'd said he was going to do during an election campaign. Have you any further ideas on what criteria you'd use? It seems difficult to judge. I mean, if your Member of Parliament for this area, for example, had said he was going to work to get you a new factory to employ people and had tried to do that but hadn't succeeded, should he be fired? Who would make that judgment? On what criteria would you make that?

MR. COULTER: I don't think there's any criteria in what you're talking about. Firstly, if he's gone out and put an honest effort into it and has not been successful, what right would you have to fire him over it? He's only going to try. All he really ever promised to do is try.

MR. ANDERSON: Okay. Maybe, then, you could outline for me in what cases he should be fired and how that would happen.

MR. COULTER: All right, I'll give you one. I think it's pretty well known that about 80 or 85 percent of the population in this country favours capital punishment, and I feel rightly so. Now, practically all your MPs went out and voted against it. They voted against the wishes of the constituencies and the people. In such a situation he should be recalled and should be whistled down the road, and without these very high pensions they have voted themselves. That's another thing too. Give them the Canada pension plan the same way the working people get it.

MR. ANDERSON: Okay. Jim, you have sort of changed directions a little bit there.

MR. COULTER: Well, I tried to follow it as good as I could.

MR. ANDERSON: Right. Inasmuch as you said originally that they should be fired if they don't do what they promised, now you're saying they should be fired if they don't do what the people want done. Do you mean both? I can think of Members of Parliament, for example, who quite clearly said before their election that they're against capital punishment. Even though the people of the area were for it, people elected them and they voted against it. That example is just confusing me a little.

MR. COULTER: I don't think in all honesty that a politician should run for office if his feelings are so much at variance with his constituents'. That's the first thing. Now, don't forget that when I speak of capital punishment, in the past there were a lot

of things other than murder that were rewarded with capital punishment. There are many things. Quite frankly, that is the reason why these MPs wanted capital punishment done away with. They have their reasons. But they don't really care. They don't really care about somebody going out and murdering or torturing 20 people to death. They don't worry about a young family and a baby at all. You show me one that does.

MR. ANDERSON: I'm not sure I'd agree with your analysis on that . . .

MR. COULTER: Well, I do.

MR. ANDERSON: . . . but I appreciate your comments. In terms of criteria, though, you think that generally politicians have to do what constituents want. You don't have any ideas on a mechanism. You think we should have some way, though, of dealing with that.

MR. COULTER: What I'm speaking of is democracy. That's what I'm referring to. When an MP goes into office and doesn't do as Canadian citizens want, we do not have democracy.

MR. DEPUTY CHAIRMAN: Except, I guess, at the next election you could defeat him.

MR. COULTER: That is too late. They run wild, and we've seen this. They run wild for years. It's too late then.

MR. DEPUTY CHAIRMAN: Mr. Doyle.

MR. DOYLE: Thank you, Mr. Chairman. Jim, I listened closely to your presentation. I'll make it very clear that I don't agree with all your comments, but I listened.

MR. COULTER: That's all right.

MR. DOYLE: I was wondering, Mr. Coulter, if you agree that immigrant children suppressed by wrongdoings of adults in governments of other countries should be allowed in the country. Should those children not have the right to a good life in a free country like ours?

1:52

MR. COULTER: Well, you've kind of wandered around a little there. Firstly, these people that come from other countries – they're nondemocratic countries. I believe they have a responsibility in these countries to try and bring democracy about. Now, there are no countries in the world in which there has not been a lot of blood shed achieving it.

If we're going to do like you seem to suggest, there will not even be standing room in this country. It's nice to say that and everything else, and I know a lot of these people and they're excellent, tremendous people. But it's way beyond our economic means. We're a country that's financially broke right now, and we'd better face it. We are not financially able to help these people. We are shortly going to need some assistance from someplace; I don't know if it's going to be the States or where. We're getting somewhere around 60 percent of our gross national product being taken away in taxes.

Now, we've got to start looking at this a little more than like you've said: "Oh well, some people in some country are being oppressed; therefore, they have the right to come here and have us, who are broke, support them." We just can't do it; that's all there is to it. We just can't.

MR. DOYLE: Well, certainly they don't have the same human rights as we do in Canada, and there are several reasons for immigrating from one country to a free country like ours. You didn't clearly say if you are opposed to allowing children the freedoms they should be having by us allowing children to immigrate, if not adults.

MR. COULTER: Well, if you're going to bring children in, you've got to bring their parents firstly. That's what you mean, is it?

MR. DOYLE: Many don't have parents. Many have nobody, Mr. Coulter.

MR. COULTER: How many millions or hundreds of millions of these children and people are you referring to?

MR. DOYLE: I don't know how many are out there, but there are several that . . . We have to pay attention to protecting the children if we can't give human rights to everybody.

MR. COULTER: Well, we've certainly exceeded our abilities right now.

MR. DOYLE: Thank you.

MR. COULTER: They may be tremendously deserving. I'm not saying they're not deserving. But if somebody is in quicksand and going down, why should we leap into the quicksand and go down with them? You're never going to help them up, and that's what we're doing.

MR. DEPUTY CHAIRMAN: Nancy.

MS BETKOWSKI: Mr. Coulter, thank you for coming to our hearings and speaking to us. My question is with respect to something we've heard quite a lot of, and that's enhancing democracy practices in Canada. A lot of people have made presentations about giving citizens more of a sense of involvement in constitutional affairs and other affairs. You've suggested the model of being able to recall a politician. We've had quite a bit of discussion about Senate reform and other mechanisms that might give citizens of Canada more involvement in the process of government and constitutional reform. Do you have any thoughts on those kinds of things?

MR. COULTER: Well, the Senate as we have it today is far, far from a democratic organization. It's a political plum; that's all it is. Some of the people that have been put in there have served time in jail. Now, they're not supposed to be in there after they've been found guilty of criminal problems and have done time over it, and yet they are. There's another case where all these regulations you want to make – our politicians pay no attention to it. "Never mind the rules. We made the rules; we'll change the rules if we need to. We'll do what we want. Never mind what our constituents want." As far as the Senate is concerned, that is pitiful, absolutely pitiful, and Canadian citizens are fed up. I don't know why these people can't get this through their heads.

MS BETKOWSKI: Do you think Canadians want more or less involvement in the whole process of constitutional reform?

MR. COULTER: Well, I don't know what they want, but I think they'd better get on the ball and get into it.

MS BETKOWSKI: Okay. Thanks.

MR. DEPUTY CHAIRMAN: Brief questions from Mr. Chumir and Ms Calahasen.

MR. CHUMIR: Thank you, Mr. Coulter. We've had a number of suggestions from presenters that citizens should be entitled to have access to basic information from government about how they're governing. It's been suggested that this should be put into the Constitution. Would you agree with that proposition?

MR. COULTER: Well, my understanding is that supposedly we have this Access to Information Act. We just don't. As Joe Blow on the street, don't meddle and try and get any of it that's a little touchy. You won't have any success. They'll hold you up for years.

MR. CHUMIR: Do you think we should be making some provision in our Constitution for access to information, or would it be better to just leave it out and handle it otherwise?

MR. COULTER: We absolutely should have access. They've got lots of things to hide – I'm aware of that – but I don't think they should be hidden.

MR. CHUMIR: Okay. Thank you.

MR. DEPUTY CHAIRMAN: Ms Calahasen.

MS CALAHASEN: Thank you, Mr. Chairman. Welcome, first of all. Some of the information actually – you were talking about the politicians representing the people. I just want to follow through on that somewhat. I guess there are times when as politicians we don't really know how to reach the people to be able to get the information we need to represent them as effectively as we'd like. What process would you recommend in order for us to be able to find how we go about doing that? Would you recommend a referendum of sorts, or is there another method you could see happening where we could find out the beliefs or the position of the people so we can represent them in many of the concerns brought forward?

MR. COULTER: Well, I'll tell you one way not to do it, and it's the way it is being done. That is, do not go to people who are patting you on the back all the time and telling you what a fine person you are. Go to people that are sort of neutral types, and they'll be honest with you.

MS CALAHASEN: Basically, you're saying, then, that as a politician and our representatives, you go out to the people versus using some form of questionnaire or a referendum of sorts which would ask certain questions on certain issues?

MR. COULTER: Well, the problem with, as you say, sending out questionnaires is that you'll find certain organizations will tend to swamp their narrow feelings about that. The majority of Canadians may not even answer; they may be so fed up and sick of the whole thing they just garbage it. Right now they do not feel that the politician is unaware, and if he already knows about it and will not do anything about it, why should they move themselves to even write a little slip on a piece of paper? People are pretty fed up.

MS CALAHASEN: How do we get to those fed up people as representatives? Things like this that we're doing?

MR. COULTER: Well, this is a pretty good start here. I think you must avoid certain types of organizations. I know people will think it is wrong for me to say this, but churches are well organized to get their viewpoint across entirely out of proportion to their numbers. A lot of people that go to the churches don't think that way, yet they will pressure these people to fill in these forms and so on and send them in. That's one way you don't do it, and they get too much input.

MS CALAHASEN: Thank you.

MR. DEPUTY CHAIRMAN: Thank you very much, Jim. We appreciate your attendance.

Our next presenter is Tom Roycraft. Welcome, Tom.

MR. ROYCRAFT: I just wonder if I should explain that I probably come from a little different background than a lot of people. I'm retired after 40 years with the military and public service, and the last 30 years was spent in the bush with people from all over this country and other countries as well. I got to know these people on a personal basis, and I guess I have to confess here that very seldom do we sit around the campfire and discuss things like constitutions. In the military service I did travel from coast to coast, to every province, all the territories. I've worked in the territories, in Labrador and Nova Scotia and Vancouver island and so on, so I feel that I've probably seen more people and more of the country than the average person. In addition, I suppose that I was actually working on the level more of a hewer of wood and drawer of water, because it was in close contact with the natural world, in the bush.

When I was putting a small presentation together, I had to smile to myself. Periodically there were several of us who had spent half our lives in the bush doing this particular job, and on the second course out we would have a new course officer come out with complete ideas to revamp the entire agenda, and I'd just smile to myself. Maybe this is the position I'm in, so just bear with me, please.

2:02

Now, essentially what I am talking about is that I feel strongly that a strong central government is important to this country, and not just because I did work for the federal government all my life. Just bear with me; it's not too long. This is a quotation from Judge Bowker: this debate is about power; the Premiers want more power and not for the people but for themselves. If there's one thing we need in this country, it's a strong central government. I have to agree with the judge.

I see myself as a Canadian who resides in Alberta, not an Albertan with grievances against other regions. This country is in a mess for several reasons, but secrecy and the stirring up of animosity against other regions to gain political advantage and greater power probably are major factors which have brought us to where we are today. In my opinion, the Prime Minister who got us into this fiasco lacks the credibility and qualities to effectively lead Canada into a new era. If Brian Mulroney has

his way, Canada will be balkanized, fragmented, decentralized, and eventually destroyed.

Before the next election, parties should bring forward concise constitutional positions. They should be openly debated and an election held with a clear understanding that the government then in power will be committed to settlement of aboriginal claims and rights. This proposed scenario is perhaps unrealistic, but in some manner or other the aboriginal people must be fully represented in future constitutional deliberations. In a sense they are one of the strongest potential links in the chain that binds this country together. They are distributed throughout the country and realize that their salvation lies in the maintenance of a strong central government. Given that they have a vested interest in the preservation of the natural environment, which is essential to their cultural survival, it follows that Canada as a whole can only benefit by addressing their concerns. Conversely, the native position will be weakened, along with the strength of Canada as a whole, if areas such as environmental impact assessments are delegated to provincial jurisdiction.

One of the motivating factors involved in the secrecy of the Meech Lake process may well have been the desire to avoid addressing aboriginal concerns, particularly megaprojects such as James Bay 2. Fortunately for Canada, Elijah Harper stood firm, and his credibility is greater than that of the Prime Minister. Unless this country places the highest priority in redressing native grievances, we face the risk of future confrontation such as Oka. If we reach an amicable settlement in this area, the links which bind this country together will be strengthened. The longer the delay in settling aboriginal concerns, the greater the risk of confrontation and animosity and the higher the cost.

A strong central government is necessary if communication links such as the CBC are to be maintained to promote Canadian unity. A national broadcasting system with a mandate to inform and freely investigate issues of public concern is vital to this country's future. In areas such as pesticide registration and control, toxic waste management, and chemicals used by industry, there's a necessity for countrywide standards. If each province develops its own guidelines, there will be a tendency for some jurisdictions to lower standards such as health of workers in order to attract industrial development. Corporations are not above the temptation to threaten loss of employment if governments insist on endorsement of stringent regulations. In both those situations, without a strong central government the country will just be fragmented and there will be competition for who can provide the lowest standards for industry. I think it would be a disaster. Only a strong central government can enforce universal standards.

One other point. The federal government should have a role in the promotion of the standardization of history textbooks used in all provinces. Leading academics might be brought together to arrive at agreement as to how Canada has developed. If this matter is left entirely in the hands of provincial governments, any meaningful consensus is unlikely to develop. On the other hand, a federal presence in this area would have the motivation to get on with the job in the interest of national unity.

That's my written presentation. I hope it's not too long, and would welcome your consideration of it.

MR. DEPUTY CHAIRMAN: You certainly haven't gone too long, Tom.

I'd ask Dennis to be the first questioner.

MR. ANDERSON: Thank you, Mr. Chairman. Tom, your presentation was very clear in terms of your support for strong central authority. Do you have any of the fears that some Albertans have expressed of having those people in central Canada create priorities for the nation and try and operate in the best interests of the nation those areas that are so far away and so far removed from that central Canadian perspective?

MR. ROYCRAFT: Well, I think this is the responsibility of our elected representatives, whether they're in the Senate or Members of Parliament. It's their responsibility to speak out, and as I see it, there's a lack of some Members of Parliament speaking out for their local areas. I think probably it's because of party discipline or perhaps some system in the Commons – the voting, party solidarity, and so on – that prevents the Members of Parliament from speaking out for their regions. I don't know what other reason there is.

MR. ANDERSON: Apart from the personalities that might be involved, do you not have concern about that majority of the population, the majority of votes, from the central part of the country controlling the priorities and the standards, which would of course well reflect the people they represent but not as well reflect those people in Newfoundland or Alberta or the Northwest Territories?

MR. ROYCRAFT: Well, I believe there's no such animal that can live with 10 heads. It's got to have one head in charge. As soon as you get the country divided, the country is going to be destroyed, in my estimation; maybe not next year, 10 years. But look, just in the last week or so there's talk in the newspapers now about people saying: "Well, we should have our own provincial police force perhaps. Maybe Alberta could use the American dollar." I mean, this is pretty scary, just those two items in such a recent time. I just feel that the provincial politicians are, generally speaking, not statesman. They're out, as Judge Bowker says, to get their own power and build up their own power base, possibly at the expense of the other parts of the country.

Now you've got people saying, "Well, now, look. If Quebec goes, then western Canada should unite, because we're not going to share what we've got with those poor people down in Newfoundland and Nova Scotia." It seems there's a lot of people with wealth who are looking after their own self-interest instead of the national interest. So I think there needs to be a little more statesmanship shown by the provincial Premiers.

2:12

MR. ANDERSON: So you feel that the statesmanship is much more there with federal elected politicians than with provincial and that the wisdom to be able to operate the various parts of the country and the needs of it are there more federally than provincially.

MR. ROYCRAFT: If they're not there, I think in some manner we should get them there. I don't know how it's to be done – I don't have all the solutions – but somehow or other, perhaps with more goodwill, a little less politicking, a little more statesmanship. If we could get more people elected – and I don't mean to insult you – it would be statesmen rather than politicians, people who are more interested in the country as a whole rather than perhaps getting re-elected or whatever.

MR. ANDERSON: Well, I appreciate your opinion with respect to that. You don't feel there's any difficulty in a central group of people, no matter how well qualified. Say we have the best

qualified possible, the best statesmen available in our central Parliament. You don't think there's a difficulty with them operating specific areas so far removed from the ridings they represent. In other words, if I'm a federal politician making decisions about fisheries in Newfoundland or if I'm a Newfoundland fisherman Member of Parliament making decisions about Alberta's oil and gas, you don't feel that's a problem?

MR. ROYCRAFT: In some way or other I think this country could be made to work with a strong central government, and I cannot see how it will work if we divide these powers up so we've got provinces bidding against each other. I want to be a Canadian, not an Albertan.

MR. ANDERSON: Okay. Thank you.

MR. DEPUTY CHAIRMAN: Mr. McInnis.

MR. McINNIS: Thank you, Mr. Chairman. I don't really think it has a great deal to do with who has the most wisdom and who's the brightest. What I hear you saying, Mr. Roycraft, is that you don't like the idea of provinces competing with one another for industrial development based on who's prepared to waive the most environmental requirements, who's prepared to allow the greatest degree of degradation and the most pollution. I mean, if you go to British Columbia and you have to have a pulp mill that creates zero effluent in the river and you go to Saskatchewan and you have to produce a pulp mill with zero effluent, surely some of them would come to Alberta where we seem to allow all kinds of liquid effluent into the river. I think that's what you're saying.

But the question I have is: would it not be possible, if you had national standards and objectives on, say, environmental matters, that local governments and provinces could have plenty of scope for decision-making so long as they accommodated those standards? In other words, if we decide that industry is going to be clean, it could still be up to local people and provinces to decide whether they want it, what kind they're going to have. They would simply have to compete in something else other than degradation of our environment. Is that it?

MR. ROYCRAFT: Right. You know, when I worked for the military, when National Defence headquarters sent us orders, the people on the spot were responsible to see that they were properly carried out, and it would have been foolish for them to send someone from Ottawa to oversee the small details of what was required. By the same token, I think the same thing goes for the federal government. They can lay down standards, but the local people have a responsibility to act properly and get the job done in the manner that it should be done.

MR. McINNIS: So your vision of a strong, united Canada doesn't mean that some all-powerful and all-wise person in Ottawa has to make every detailed decision respecting every locality in the country?

MR. ROYCRAFT: No, that would be impossible. There's no way that someone, you know, thousands of miles away can run the day-to-day . . . There have to be various levels of government, and I think the provincial government should be satisfied to try to do the best job possible with the responsibilities they're given, but not keep seeking ultimate responsibility. The first thing we know, we'll be buying armoured personnel carriers and that sort of thing for this province if things go to the extreme some people would like.

MR. DEPUTY CHAIRMAN: Sheldon.

MR. CHUMIR: Thank you, Mr. Roycraft. You've made your position very clear, and I'm particularly appreciative of it. I want to ask a very brief question re a couple of specific federal programs, because there's been some suggestion amongst some provincial governments that the medicare and social programs should be taken completely from the parent federal government role, which is basically that of setting standards while the provinces actually run the program. This should be eliminated, and we should have all the provinces set the standards and come together and determine whether or not there should be national standards. I'm wondering whether you could give us your opinion on that particular . . .

MR. ROYCRAFT: Well, where I come from on that is that in the military, where people are moving from one province to the other regularly, they're faced with all sorts of problems. They've got various educational standards. They've got various problems in all sorts of jurisdictions that shouldn't happen in one country. There are too many standards. There should be universal standards so that a person can move comfortably from one part of the country to the other and feel he's still a Canadian, has all the rights, and knows what to expect. There shouldn't be all these little fragmented jurisdictions, as I see it.

MR. CHUMIR: And should those standards be mandated by the federal government or by individual provinces?

MR. ROYCRAFT: Well, there again I think basically the overall formula and framework should be mandated by the federal government, and the local governments have the responsibility, within that framework they're given, to do the best job they can of administration. I think it's very simple.

MR. CHUMIR: Thank you.

MR. DEPUTY CHAIRMAN: Nancy.

MS BETKOWSKI: Mr. Roycraft, I appreciate your affirmation of citizenship. I, too, would count myself as a Canadian first, and this committee is trying to find out if we want to change our Constitution or not.

My question to you is with respect to the division of powers. Right now the provinces are given the jurisdiction over health and education. My question is whether or not you believe those powers should be transferred to the federal government instead of remaining with the provinces as they have since 1867.

MR. ROYCRAFT: I believe there's room for shared jurisdiction again; as I said, just giving the example of promoting a common, agreed upon standard textbook for Canada's history. Now, we all know that these texts vary in different provinces. One of the reasons we have so much division in the country is that the children are not being taught the same history, and that's just one example that comes to mind. I'm sure you could find other situations where the country is being divided, not that the people themselves are bad. All these various histories can't be correct. There should be room for compromise and agreement. I wouldn't trust politicians to write our history, but I think some of the leading scholars and universities could

probably get together as reasonable people and at least agree on a common framework for the text that would be produced.

MR. DEPUTY CHAIRMAN: Barrie.

MR. CHIVERS: Thank you, Mr. Chairman. Mr. Roycraft, I was interested in your comments with respect to the settlement of aboriginal claims and aboriginal rights. Also, you spoke in terms of representation of aboriginal peoples in constitutional talks. I'd like your views. Are you thinking that there should be some constitutional entrenchment, some constitutional protection of aboriginal rights and interests?

MR. ROYCRAFT: I think it's the only proper way they're going to be dealt with fairly. I think they've been elbowed out. They've been dealt with scandalously in many areas.

You know, if you take away a person's way of life and their livelihood and confine them to small areas, they're bound to react in the way that they have in many cases, and they're in a pretty tough position. Of course, once people are in that tough position, it's easy to look down on them and say: "Well, gee, they don't deserve anything better, because look at them. Look at the way they're acting." They've had their entire way of life taken away from them and their land base. It's for the country's own good that they be given the rights that are due them.

2:22

MR. CHIVERS: What kind of a process do you see as being the vehicle to involve aboriginal peoples in constitutional talks?

MR. ROYCRAFT: Gee, I don't know. If I were faced with that problem, I'd probably call up some of the leaders and have to discuss it with them. I don't know exactly what process; I just know that something has to be done. I don't have a firm stand on that.

MR. CHIVERS: Also, I was interested in your comment with respect to secrecy in government. Do I take from that that you would be supportive of some form of constitutional entrenchment of freedom of information and access to information?

MR. ROYCRAFT: Absolutely. This, I think, is essential to democracy. You know, if you look at a totalitarian state, what do you have? You have secrecy. If you have a democratic state, you should have freedom of information. I cannot see how people can feel comfortable in a democracy when the government is able to withhold information that is essential in order to allow the people to make up their minds and to get the facts. I think the extent of government secrecy verges on the criminal sometimes.

MR. CHIVERS: Thank you for coming before us and giving us your views. I think one of the things that we're all learning in this process is – you've been able to see the diversity of the views that are being presented to us from some of the previous presenters and some of the presenters that will follow from you, so it's been a useful process in that sense too, I think.

MR. DEPUTY CHAIRMAN: Pearl.

MS CALAHASEN: Thank you, Mr. Chairman. I just wanted to sort of clarify the position that you brought forward. You said you wanted a strong central government, and then you stated that there's got to be shared jurisdiction in a number of areas with the province. You also indicated some areas where you felt that a strong central government should be very active. I just wondered: what other areas would you see that this central government should play a major role in?

MR. ROYCRAFT: I think I would have to sit and ponder that for a while. I don't have a really ready answer. These things are not as simple as a person might think at first glance. I'm sure you realize that. I don't have a quick answer for that.

MS CALAHASEN: I was just thinking about what you said in terms of an animal with 10 heads and having a strong person who is the figurehead, particularly if you're looking at a family. The person who is a strong figurehead usually gives responsibilities to some of the provinces, or their children, who then look after those responsibilities. I just wondered what kind of responsibilities would be under the heading of the provinces and what kind of a figurehead that would be. I'm trying to identify what kind of a strong central government you mean.

MR. ROYCRAFT: It's a complex question. A government must have the power that is required to keep the country whole and functioning as a unit to prevent fragmentation, prevent all this talk about one part of the country breaking off and being independent and another part breaking off and joining the United States and so on. I think a strong central government will avoid these problems. On the other hand, I don't mean a strong central government such as Nazi Germany had or a totalitarian government at all.

MS CALAHASEN: I guess that's what I'm trying to identify. How do you identify a strong central government without the kind of all power that would be in one person or one particular government which then would mean that the regional diversities wouldn't be looked after?

MR. ROYCRAFT: Well, I believe that under the present system there's plenty of scope for provincial governments as they are set up right now to look after the interests of the provinces. I don't want to see the federal government weakened any further than it is.

MS CALAHASEN: Okay. Thank you.

MR. DAY: I guess, Mr. Roycraft, that was my first question. Basically, especially if politicians would be, as has already been said, more statesmanlike, you'd want to preserve the status quo in terms of federal/provincial powers. You don't want to see the provinces trying to gain more. You said: status quo, but use it responsibly. Is that what you're indicating?

MR. ROYCRAFT: Yes. I believe any system is capable of improvement, and in some manner or other I'm sure that there's lots of room for improvements. But I think it's suicidal to have the provinces set up so that they compete with each other or combine as a group to compete against less well-endowed areas.

MR. DAY: The question of environmental standards as you look at federal/provincial powers becomes an interesting one. Even when you start to define something like effluent – effluent meaning any liquid coming from a mill – it can be the type that evaporate on exposure to oxygen or sunlight or quickly dissipate. Some are perceived as being not harmful; some are harmful. What would you suggest to us in a situation where Alberta's

standards are, as we've been told by many groups, possibly the highest in Canada, yet a neighbouring province goes with a federal standard which is lower than Alberta's? Therefore, some of their, maybe, air quality or water quality would be coming into our province. They are going with the federal standard in that province that for whatever reasons, research or whatever, we feel is too low. Is there a mechanism we can have to go to that other province? They could say to us, "Well, we're just following the federal standard, and we'd say, "We feel the federal standard should be up here." Is there a mechanism we could address in a situation like that?

MR. ROYCRAFT: Well, surely they could have the Council of Ministers of the Environment meet with the federal government, and surely that's a thing they can discuss. We've got a House of Commons Committee on Environment. They're all set up to discuss these things and agree on standards. What I see happening, though, is that when they do agree on these standards, then some provinces try to weasel out of them. This is where fragmentation of the country is only going to make the situation worse.

MR. DAY: So a negotiating process of provinces with the feds would be some type of mechanism?

MR. ROYCRAFT: Well, certainly. The House of Commons Committee on Environment is a very powerful and excellent committee. I think they do a lot of good, and surely mechanisms can be devised so that they could be improved.

MR. DAY: Yeah. That seems, I guess, to be the difficulty. There are mills and things like that in Ontario, for instance, that would never be permitted to even function here, and that's where you get the differences.

MR. ROYCRAFT: Well, surely that's true. But when you're faced with the industry saying: "Well, look, if you make us clean this up, we're going to move out and you're going to have 10,000 people unemployed. Then you're going to be in trouble. What's going to happen at the next election?" They're always threatening blackmail. So I think these corporations are responsible for a lot of that, and they're the people that have to be controlled. They cannot be controlled by the provinces; they must be controlled by the provinces all uniting through the federal government. Otherwise, we're just hamburger.

MR. DAY: Yeah. It does create a lot of controversy. I don't know if Mr. McInnis was suggesting that we shut down all the plants in Hinton because of effluent standards not being met. It's a difficult one.

MR. McINNIS: Do you want Mr. McInnis to say what he is suggesting?

MR. DAY: Final question. You talked about the CBC. How do we put a check in place? It's been suggested with the CBC, for instance, that some people are concerned about the fact that in analyses that have been done, the perspective is significantly left of centre in terms of whatever the issue being dealt with, and there's literature to support that. Is there some kind of mechanism that could be put in place? It's very touchy when you're dealing with the media. Obviously, you don't want to get into censorship and things like that, but since it is a publicly paid-for facility, is there something you could suggest there?

MR. ROYCRAFT: My response to that is that the CBC is only being intellectually honest.

MR. DAY: Okay. So you wouldn't want to see any kind of – even if the report seemed to say whether it was right of centre consistently or left of centre, whatever the perspective was.

MR. ROYCRAFT: I think there are sufficient pressures on the CBC to stay pretty close to centre. I personally feel that they're a little bit too far to the right, and you probably feel the opposite. So there. It must be right in the middle.

2:32

MR. DAY: Okay; thanks. I appreciate that.

MR. DEPUTY CHAIRMAN: Thank you very much, Tom.

MR. ROYCRAFT: Thank you.

MR. DEPUTY CHAIRMAN: Our next presenter is Craig Corser. I invite Craig to come to the table. Welcome.

MR. CORSER: Thank you.

MR. DEPUTY CHAIRMAN: Sorry to be running behind. It's hard to control this group, Craig.

MS BETKOWSKI: Us, not you.

MR. CORSER: Well, you never know with me.

MR. DEPUTY CHAIRMAN: Because there wouldn't be answers if there weren't questioners.

MR. CORSER: I'm from Edson, Mr. Chairman, hon. ministers, commissioners.

MR. DEPUTY CHAIRMAN: Order please. We have a presenter who would like to have the committee's attention.

MR. CORSER: Ladies and gentlemen, let me begin by saying how pleased I am to be able to make a presentation today. I believe that the process this commission is a part of will bring about massive, positive change to our Canadian society, and I think you're all privileged to be part of this process. We are, as well, to be made to feel welcome.

This process is not about accommodating Quebec, and I think there still is a feeling out there that this is why these commissions are being held and why input's being sought. I believe this process is about accommodating all Canadians.

Canadians are uneasy. As politicians, you know this better than most. They're frustrated by circumstances they find themselves in. The consequence of 20 years of deficit spending is high taxation. This has had a direct impact on all Canadians. Today's citizen is attentive. He or she is looking and listening for solutions to their problems. Canadians, I believe, are looking primarily for relief from taxation and more of a say in governance. Indeed, they believe that by having more of a say in governance, they would have relief from taxation. They do not believe their elected representatives represent their views. They do not believe they voted for the circumstances they find themselves in.

All political parties outside of government, whether provincial or federal, are benefiting from this phenomenon. As far as the

public is concerned, no government is doing a good enough job. Witness the growth in popularity of all federal opposition parties and the development of two wholly new federal parties. Witness the gains of the Reform Party in Ontario at the expense of traditional parties, including the NDP. This is not seemingly logical. Political parties have been elected in Canada traditionally – and I believe they'll continue – by telling voters what they want to hear. The public is learning that government cannot or will not deliver on its promise to relieve their tax burden. The public does not accept how insidious the problem of deficit spending has become. What the public wants to hear today is that the public will have more of a say in governance. What the public believes is that this will result in a reduction in taxation, because that is what they intend to tell the government to do.

The constitutional challenge facing Canada today has many facets, and I'm only going to address one. It's fundamental. It certainly oversimplifies the situation – there are so many areas – but the fundamental problem I think we face in Canada today is with our very form of government.

Our system of federalism, based on the British parliamentary system, is antiquated and should not be reformed but rather should be replaced. The Prime Minister is not elected by the public. He or she is elected leader by his or her political party. They only become Prime Minister of the country if their political party wins a majority of the seats in the House of Commons. This results in a propensity for promises. It becomes important to present a pleasing package to the public at election time. For Canadian political parties elections are a zero-sum game, by and large. Winning means winning big; losing means being relegated to the wilderness of opposition.

In opposition elected representatives have virtually no influence on government. They dwell on the negative, scheming to undermine and discredit government, whatever the government of the day happens to be. This is really, in our system, the only means available to them to eventually become government. In our media-driven age, opposition criticism of government is by and large the only message reaching the public. Keep in mind that as of late the public is attentive, and they're looking and listening for solutions to their problems.

In Canada, in effect, the Prime Minister is not accountable to the people. In addition and compounding this is the fact that the Prime Minister exercises extensive control over his or her political party. Duly elected members of the government party are accountable to the Prime Minister. Income and status, including cabinet positions, are directly related to relationships with the Prime Minister. In turn, cabinet positions often result in elected representatives being unable to properly represent the interests of their constituencies because they're so burdened with management of their departments.

Party discipline, of course, is central to the British parliamentary style of federalism. Governments must maintain the unanimous support of their caucus in the House of Commons, or the government will fall. Public business is debated not in public but behind closed doors. The position of the government is decided in private, accepted by all members of the government, and only then is presented to the public. The responsibility of Her Majesty's Loyal Opposition in our system is to criticize the government position in public. This form of government sends all the wrong messages to Canadians. It may have been an appropriate system when only male landowners had the vote and when the media was really only an information source for the classes that had the vote. It's wholly inappropriate today.

Our existing appointed Senate is very much in keeping and consistent with our British parliamentary system. It's based, of course, on the idea that the privileged classes must monitor and, if necessary, block the will of the commoners. I do not believe that an elected Senate operating in the context of our present British parliamentary system would be any more effective than what we have in the House of Commons today. If our system is to be changed to make an elected Senate effective, then it is logical to reform our other political institutions to make them effective and representative as well. Surely Canadians do not want a triple E Senate to balance an ineffective House of Commons.

If I were to make recommendations, which of course are not going to be necessarily specific and appropriate, I would recommend that our Prime Minister be elected by the people and be in effect a separate branch of government. I would recommend that bureaucratic management be the responsibility of competent people nominated by the Prime Minister and ratified by the House of Commons and/or the Senate. I would recommend that the defeat of government legislation no longer result in the defeat of the government. I would recommend that there be fixed dates for general elections. I would recommend that we have an equal, elected, and effective Senate, and I would recommend that the Senate, the House of Commons, and the Prime Minister all have the equal ability to initiate and to block legislation. I know in many aspects this is similar to the U.S. system. It's not, I don't think, necessary that we follow the system we do follow; it's the British system. I don't think we have to have an adoption of the American system by any means. I think there are features of it which make it much more representative, much more open to the people.

The consequences of bringing government out of the back rooms and into the light should be severalfold. Elected representatives will be largely freed from party discipline. Party discipline will be balanced by constituent scrutiny. Dissent will be expected and tolerated. Voting will no longer be along party lines. Canadians will know the positions of their elected representatives. They will be able to tell whether their views are being represented or whether they're not. They will be able to judge the competence of their elected representatives much more easily. Citizens will hear the debate, not just the criticism. As a consequence, Canadians will be better able to understand the complex issues and the difficult decisions governments face. There will be less temptation for political parties to promise their way to power at the expense of the electorate. The Prime Minister's promises or the promises of any politician can effectively be blocked by political institutions if the promise is deemed to be not acceptable. All elected representatives regardless of their party affiliation will have a voice in governing the country. I think this probably is one of the most important points of all: every vote of every elected representation will have equal weight.

While this submission is written in terms of the federal government, parallel circumstances certainly exist provincially. Replace Prime Minister with Premier. We don't necessarily have a need for two Houses of government.

The division of powers between Ottawa, the provinces, and indeed local and municipal governments is certainly an immensely important part of this constitutional debate, and I don't have anything to say, really, on that. I wanted to focus my remarks. The basis for the division of powers in any case should be related to economic efficiency and political accountability.

I am not a political scientist. I don't suppose for a moment that what I've provided here is the answer to our constitutional

problem. I do believe our present form of government, however, is dangerous, and I believe it's dying. Let us put it out of its misery before it has the opportunity to further damage our society.

Thank you once again for the opportunity to express these views, and good luck with your hearings and your deliberations.

2:42

MR. DEPUTY CHAIRMAN: Thank you, Craig.

Stockwell.

MR. DAY: Thanks, Craig. We always appreciate it when someone has taken the time to actually come up with specific recommendations, and it helps to hear them. One of yours deals with fixed dates for elections, which is of particular interest to me since I have a motion on the Table in the provincial Legislature asking that that happen. But I will be honest with you; I'm still struggling. Maybe you can help me in my debate when it comes to that and also for the bigger picture if we ever get this through. If we go with the fixed dates which I'm asking for so MLAs can have a freer vote, if a piece of business comes up for discussion and gets voted down, it simply is removed from the Order Paper; the government doesn't fall, because you know when the fixed date for the election is. But should there be a mechanism in place between the fixed dates, let's say every four years, where the government could still lose a certain type of vote and therefore fall and be defeated?

MR. CORSER: Well, in the kind of system I'm promoting, I think every elected member representing a constituency would be part of the government. Therefore government's don't fall; governments are. Change can occur, and the government will still be representing and taking care of the business of government.

MR. DAY: So you would see it in place for the fixed date then.

MR. CORSER: Well, what would it be? It would be a group of people representing the public in the House of Commons. Their party would be less significant because legislation could be initiated by anyone, as I'm sure it can be now, although it can be blocked pretty effectively. Virtually what you would have is an ongoing government without a true personality as we know it in the sense of it following political dogma of one form or another.

MR. DAY: Okay. Thank you. And division of power, federal and provincial, in terms of jurisdiction: economic efficiency and political accountability would be two main criteria in terms of the jurisdiction being provincial or federal on a particular issue.

MR. CORSER: Well, I think there's a case being made presently. Certainly I hear the city of Edmonton saying it's time for municipal government to also be recognized in the Constitution. So I think what governments at all levels are saying is that if we're accountable and responsible, we want the authority and responsibility to manage those areas. We recognize in our system that social issues are a provincial responsibility, yet taxation flows to the federal government. We've accepted this truism in Canada that we have to have universal standards and the money's directed back to the provinces and they're expected to meet federal standards on provincial responsibilities. There's a lot lost in the shuffle, and Canadians are starting to realize just how inefficient that type of thinking and that type of taxation and spending is.

MR. DAY: Okay. Thanks, Craig.

MR. DEPUTY CHAIRMAN: Has that pre-empted your question, Sheldon?

MR. CHUMIR: I'll defer for the time being.

MR. DEPUTY CHAIRMAN: John, were you seeking recognition?

MR. McINNIS: Mr. Corser, in the earlier part of your presentation you talked about how no government in Canada is doing a good enough job, and you said one of the unfortunate consequences of that was the growth of the NDP. I just wondered if you would indicate whether you are the president of the local PC riding association.

MR. CORSER: No, I'm certainly not, and I didn't make those comments. If you would like me to repeat them, I said that in the view of the Canadian public no government is doing a good enough job. I was saying that the phenomena we're witnessing is to the benefit of all parties that are not in government, including, of course, the Liberal Party, the New Democratic Party, and the Reform Party, which really doesn't even have a seat.

MR. McINNIS: All the opposition parties.

MR. CORSER: All opposition parties. All nongovernment parties.

MR. McINNIS: And you said that in our system the role of the opposition is to criticize the government. Am I quoting you correctly?

MR. CORSER: Actually, as I understand it, in our system the responsibility of the opposition party is to criticize the government.

MR. McINNIS: Does it surprise you to learn that opposition parties not sometimes but often propose alternatives to the government?

MR. CORSER: Well, what I see in the media may be alternatives, but it's prefaced by criticism. It's very uncommon for there to be strictly . . . Let's say we never hear much positive from the opposition.

MR. McINNIS: The system you described sounds to my ear an awful lot like the American system where the head of government is elected independently of the legislative branch. So the comparison is – that's pretty much where you're heading with it?

MR. CORSER: Well, no. I mean, we're dealing with a system that is pretty much like the British system. We're looking for better alternatives. The fact that this happens to be similar to the American system is not necessarily something we should shy away from. They have, you know, a fairly significant system of government.

MR. McINNIS: I'm just wondering what kind of experience you have with the American system. It seems to me there's an awful lot of the same type of complaints from Americans about their government. They feel governments aren't responsive, and

there's the same kind of frustration. I'm just wondering if you . . .

MR. CORSER: Well, there very well may be, but I think a large part of what the Canadian public sees of its government, if they contrast that with what they see of American government . . . The comment was made to me directly on the crisis in the Gulf. Whatever your position, hearing the American Congress debating the issue fully and openly and the contrast with our Canadian Parliament really shows that one is actually debate and the other is a formality. I just think the public is really – they say they want more involvement. It's pretty difficult to facilitate that, but they should at least be able to rely on their representatives being able to truly be involved in a discussion of the issues within the government system that exists.

MR. McINNIS: Thank you. I apologize for misinterpreting the early part of your brief.

MR. CORSER: I think what you misinterpreted was the fact that in Ontario the Reform Party is gaining support at the expense of even the NDP, and the Reform Party and the NDP aren't on the same spectrum.

MR. DEPUTY CHAIRMAN: John would agree with that.

MR. CORSER: What is seemingly illogical, you know, is where the hell does the NDP get the supporters that are now going to the Reform Party? My goodness.

MR. McINNIS: Well, it's not so illogical that it . . .

MR. CORSER: It's not illogical when you consider that what they're really reacting to is existing government, and the NDP is an alternative and the Reform Party may be a little closer to an alternative for some of them.

MR. McINNIS: Thank you.

MR. DEPUTY CHAIRMAN: Sheldon.

MR. CHUMIR: Thank you, Mr. Corser. I'm kind of curious about your suggestions re what I think you described as bureaucratic management to be nominated by the Prime Minister and then endorsed by the House.

MR. CORSER: Accepted, endorsed. Yeah.

MR. CHUMIR: When you refer to bureaucratic management, are you talking about the cabinet ministers?

MR. CORSER: Yes.

MR. CHUMIR: Would those cabinet ministers have to come from within the elected members of the House, or would they be like . . .

MR. CORSER: No. I think they wouldn't be, because if you take on the responsibilities of a cabinet minister, you have much less time to participate in the process of government and represent your constituency.

MR. CHUMIR: So that would be like the U.S. system in that regard, where they come from outside the elected sphere.

You mentioned that the Prime Minister would be elected separately, which again sounds very much like the American system, but I'm wondering: what powers or extra authority, what clout would that Prime Minister have? Do you envisage some special powers like division of powers in the United States, or would the Prime Minister's powers depend simply on the type of support he or she could muster within the House?

MR. CORSER: Well, I think that's the type of balance you want to strive for, which is to develop co-operation between the branches of government and an exchange between them in order to accommodate the agendas of the various people involved in various parties.

MR. CHUMIR: But do you envisage or are you saying that the Prime Minister then would be a separate branch like the executive branch in the United States and you would have to define certain powers in the relationship between the President and the House?

MR. CORSER: Yes.

MR. CHUMIR: In other words, you're pretty much suggesting the American congressional system.

MR. CORSER: Well, you know, I guess what I am suggesting is that we've got pretty much the British system, and if we're looking at alternatives, there's not a damn thing wrong with looking at some of the other models in the world. I don't have a reaction to the American system the way some people might have.

MR. CHUMIR: No, I wouldn't be critical of you, but it sounded like a bit of a . . .

MR. CORSER: I think it's a better form of federalism. It might work a little better.

MR. CHUMIR: It's beginning to sound to me in fact like . . . You know, I don't see much difference between this and the United States concept. I don't say that critically. I'm just trying to understand your thinking.

2:52

MR. CORSER: Yeah. Right. I say the model we followed is inappropriate, so let's look for another one.

MR. DEPUTY CHAIRMAN: Dennis.

MR. ANDERSON: Thank you, Mr. Chairman. Actually, my question was pretty well asked by Mr. Chumir, though in terms of the systems one might suggest that a difficulty with our current system is that we've been trying to deal with the British precedent through the years and have now begun to mesh some of the written laws with the old precedent system and have not allowed for those traditional precedents to control aspects of our parliamentary system. In other words, where the Prime Minister originally was controlled by the caucus choosing the Prime Minister – therefore, a balanced relationship in Britain – we haven't done that. We've taken the American-style selection of a leader by political party, but we've left undefined the powers of the Prime Minister. You obviously favour the American style system. Would you also favour – and you may have answered this with Mr. Chumir's question, but just to be

clear – written parameters of power for the different offices? In other words, a Prime Minister has these specific powers, a Member of Parliament has these specific powers, a Senator has others, and the administrative branch, which you've talked about, would have others as well. Do you also prefer that part of the American system?

MR. CORSER: Well, as I said, this is purely conceptual. I'm not a political scientist. I would assume that type of thing would be logical. Really, what I'm talking about here is ideas. It's a long way from ever being realized.

MR. ANDERSON: We need all we can get. Thanks, Craig.

MR. DEPUTY CHAIRMAN: Thank you very much, Craig.

MR. CORSER: Thank you.

MR. DEPUTY CHAIRMAN: Now, members of the committee, we'll move into the unscheduled part of our meeting. Those who have presented so far had made prior arrangements. We have three people on the list who would like to present now. The first of those would be Simone Topott.

Welcome.

MRS. TOPOTT: Thank you very much. I didn't come today with the intention of being a presenter, so if my few scribbled remarks are rather vague and disjointed, I hope you'll bear with me on this. I must admit that neither am I prepared to be as intensely grilled as some of the previous presenters have been.

MR. DEPUTY CHAIRMAN: We try to be easy on people, Simone.

MRS. TOPOTT: Thank you.

There are three words in the Canadian vocabulary which are not only overworked, overused and, in my opinion, objectionable, but these words have done more to divide this country and its peoples one from the other than any others. These words are Anglophone, Francophone, and multiculturalism. Before I hear any rumblings of redneck, racist, Albertan or whatever in the background, I would like to point out that my ethnic origins are both French and English, and my extended family contains many ethnic origins, as does most Canadians'. I do not object to bilingualism when it means fluency in two or more languages. However, it was when bilingualism in this country, meaning French and English, became official policy of the government that we got into trouble. I would like to point out that I studied French in school from grades 8 to 12 – and this was many years ago, I assure you, in very small communities, and by that I mean populations of less than 500 – before the word "bilingualism" was even part of our language. I might add that French at that time was a core subject and not an option. Even then the French fact was recognized by the educational system in western Canada.

Surely it is time to recognize that official bilingualism was merely a sop thrown to the Quebecois to take their minds off the real problems they faced in their province by a Prime Minister whose agenda was very much his own. At least that is what I feel. I have never been convinced that the French-speaking citizen of Trois-Rivières or Chicoutimi gave two hoots whether we spoke French in the west or had bilingual signs on our highways. The terminology of official bilingualism has driven a wedge between French-speaking Canadians and all other Canadians whether they speak English or otherwise. This may never be reconciled.

I believe we have always recognized the diverse cultures of this country. We come from various backgrounds. In our often muddled Canadian way, we worked together to build this nation, perhaps not always harmoniously, but we got the job done and we were Canadians. Once again governments intervened. It was not enough that people of various ethnic origins preserve their customs and cultures in their homes; it must become an official policy of government, funded by the taxpayer. Once again our differences were emphasized, and instead of directing our resources to furthering Canadianism, we ghettoized the newly arrived members of our society and further divided the people of this country.

Perhaps what I am trying to say is that we must do away with the divisive and destructive language that is so popular today and concentrate on promoting Canadianism and the things that bring us together as Canadians.

Thank you very much.

MR. DEPUTY CHAIRMAN: Thank you very much, Simone.

I'd just give the members of the committee a chance to collect their thoughts in case they would like to pursue any of those points.

Mr. Day.

MR. DAY: Thanks, Simone. First of all, there's no concern about rumblings of any kind when someone espouses a certain view to the committee here. You were concerned about how you might be categorized, and certainly that doesn't happen from this committee. We're in an honest search for answers to help formulate an Alberta position, and that's why at times it might appear there's some intense questioning going on. When we see glimmers of things we haven't thought of before, we kind of zero in on that like hungry robins after a nugget on the fresh dew on the grass to try to help our own understanding. So I hope you don't misinterpret that.

In the area of multiculturalism, are you making some suggestions in terms of the funding or nonfunding.

MRS. TOPOTT: Indeed, I am, yes. I am firmly opposed to government funding of multicultural organizations. I think in most instances this funding is suspect in that it is politically motivated, and I don't think the onus should be on the taxpayer of the country to promote and preserve the culture and language of any other ethnic group.

My father, who is of western French-Canadian origin, lost his language as a young man mainly because there were not that many French-Canadians in the west at that time. He only regained it when, through his second marriage, he married another French-Canadian lady from the province of Alberta. I did not have the opportunity to learn the language from my father, because my parents were divorced when I was very young and I lived with my mother. However, they had four other children, two of whom have retained the language and two of whom are not very fluent at all. However, it was their choice in the home, and they expected no government money to encourage them to teach or for their children to learn this language, and I do not believe that any other ethnic group should be encouraged by the use of public funds. There is, of course, nothing wrong with groups from other countries wishing to maintain their language and their culture. That's to be expected, but I think we are promoting divisions when for political and largely political reasons we fund groups and say,

"Now, you build yourselves a little hall here, and you use this hall to recognize your cultural holidays and religious traditions and speak your language." We find these people huddling more and more together in their own little groups and in their little halls and forgetting the reasons they came to this country in the first place, because they're tending to look backwards from whence they came rather than forward to working and building Canada.

3:02

MR. DAY: Thanks. I was just looking for clarification on that.

MR. DEPUTY CHAIRMAN: Pearl.

MS CALAHASEN: Thank you, Mr. Chairman. I've just got a few questions, Simone. In your view, in terms of the Anglophone and the Francophone in a multicultural – the words that sort of divide groups – one of my questions is relative to the other group which does not consider itself multicultural because of the tenets or the principles within the multiculturalism Act: the aboriginal people. What I wanted to know is: what is your view in terms of their particular position and the stand that they have taken relative to entrenchment of aboriginal rights in a Constitution?

MRS. TOPOTT: I don't pretend to be any kind of a constitutional expert. Like most Canadians I shout imprecations at the television set and throw my newspaper in the garbage when I'm unhappy with what I read or hear. However, I've always felt that if we were going to be a truly bilingual country, then perhaps we should be speaking English and Cree or whatever the native language is. The aboriginal languages of this country are the ones that should be included in the bilingual nature of this country.

MS CALAHASEN: To follow on that particular one – and I thank you for the information – bilingualism, of course, you said is fluency in two languages. I am bilingual. Unfortunately, one language is not an official language. In your view, then, would you say that the federal government should be able to dictate as to what is going to be done in terms of bilingualism or any language Acts that will come through in a constitutional way? Should they have that right to be able to do that, or should it be provinces who should be able to dictate what should happen in their own areas?

MRS. TOPOTT: I would have liked to have had that responsibility myself. There are many things affecting Canadians constitutionally and in a very large way that we have never had the opportunity to vote on in this country, bilingualism being one of them, right down to minor things like changing the words to the national anthem, which somehow got past everybody. I don't believe that bilingualism should be an official policy of any government. I truly believe that official bilingualism has been a major cause of a large part of the divisions in this country.

MS CALAHASEN: Thank you.

MR. DEPUTY CHAIRMAN: Sheldon.

MR. CHUMIR: Thank you, Simone. Earlier this afternoon we were talking about private schools of a religious and ethnic nature. It was suggested that those divide and that we should not, as we do in this province now, be providing public funding because that encourages divisions, and our funding should go to bringing people together through public schooling and so on. Do you have a view as to whether or not we should be funding such private schools in this province?

MRS. TOPOTT: Well, I have to say that I am not a Roman Catholic, and my husband is not either, so our children have not been raised in the Roman Catholic faith. However, my granddaughter attends the Roman Catholic school in Hinton, and we divide our school taxes proportionately because my other grandchildren attend the public school system. I have no quarrel with that.

We have sanitized our public school system, if I may use that word, to such an extent that we are not allowed to say the Lord's Prayer; we're not allowed to celebrate many of the traditional Christian holidays and things in our schools anymore. By attending the Catholic school, my grandchild is at least getting some notion of a religious training. Now, this is not – what's the word I want to use? She doesn't have to take part; she doesn't have to participate in these things. But there are certain things that are done through the school that are available to her, and to this extent she is getting a certain amount of religious training through her schooling.

MR. CHUMIR: I wasn't talking about the Catholic system, which is a part of our Constitution and it's part of an expanded public system. I was talking about private schools.

MRS. TOPOTT: No, I realize that. I just wanted to point that out because this was made before. I have no problem with the funding situation as far as the school situations are concerned.

MR. CHUMIR: Well, if I wanted, then, to have a Hindu school or a Muslim school or a Sikh school or an oriental school or a school relating to language, as Punjabi – I thought I heard you saying you don't think public funding should go into those areas.

MRS. TOPOTT: I don't think I was referring to education as much as I was to ethnic organizations which are there only to – I'm going to get myself into hot water here; I just know it.

MR. DEPUTY CHAIRMAN: You've got to be careful of Sheldon.

MR. DAY: You didn't get yourself into it.

MS CALAHASEN: He's a lawyer. He's leads his witnesses.

MRS. TOPOTT: Well, goodness; maybe I'll just back off from this because we're getting into this religious aspect, and that was not my intention.

MR. CHUMIR: Thank you.

MR. DEPUTY CHAIRMAN: Jerry.

MR. DOYLE: Thank you, Mr. Chairman. Simone, you mentioned that you didn't want to see any dollars going towards multiculturalism. Do you see the aboriginal, or native, people as a multicultural group or as Canadians like the rest of us?

MRS. TOPOTT: Oh, certainly as Canadians.

MR. DOYLE: So that's not a portion of multiculturalism?

MRS. TOPOTT: They are the original Canadians, and I firmly believe that the public funding that goes towards their aspirations as Canadians is well deserved. I don't have a problem with that at all. I have a lot of trouble with public funding of many other organizations. You can go down to the town hall here and find a list of everything from quilting clubs to square dance circles that are getting public funding; that I don't agree with either. But as far as native organizations are concerned, no. They are the original Canadians, and they need all the help and support that they can get.

3:12

MR. DOYLE: Thank you. I just wanted to clarify it, because some people see the aboriginals for some reason as a multicultural or a cultural group.

MR. DEPUTY CHAIRMAN: Simone, thank you very much for your presentation.

MRS. TOPOTT: Thank you very much for hearing me out.

MR. DEPUTY CHAIRMAN: Next on the list is Marilyn Kan. Welcome.

MS KAN: Thank you. Good afternoon. I'm another one of these people who came perhaps not knowing whether they wanted to say something or not, but certainly I did not come without thinking about the issues. I don't have any political science background. I think I've been a member of several political parties, largely to see what they told their insiders, and I found out it wasn't a hell of a lot more than they told the outsiders.

MR. DEPUTY CHAIRMAN: What you see is what you get I guess, Marilyn.

MS KAN: I don't know. I certainly concur with the general level of discontent about our governments, provincial and federal both. Municipal: I come from Jasper, so I have to accept that as a fait accompli, and I do willingly.

The one thing that hasn't come up in the list of things that have upset people – we've mentioned the aboriginals; we've mentioned the environment; we've mentioned Meech. I think the question period and the petty level of confrontation that takes at least half of that time is a thorn in anybody's side when they watch it. To me the complexity of our tax system just makes me wonder who it's designed for. I don't think it's for the general good. I mean, even my own income tax – and I'm a simple has-been wage earner – was just ridiculous.

In terms of abuse of power that people have commented on, there are two types. There are people individually who get elected and think they're above or beyond the law. Then there are groups who get in there and think that they also can ignore the laws that they've put in and that if you just hire more lawyers, more TV advertising, and more pollsters, you can figure out a way to argue that black is white and everybody will believe you. Maybe until recently this has been the case, but the population is getting a little bit more alert, I think.

Okay. The main thing that I have been thinking I wanted to say was to do with this window of opportunity that we have as a nation to do with this constitutional reform. At least we've come to the point – and we can thank Mr. Mulroney and Elijah Harper for getting us here – that everybody agrees something has to be done.

As far as I can see, just sort of distilling the ideas that I have heard from other places, because I certainly haven't generated any of these myself, I think that nothing short of a constituent assembly will do. This is individuals who have no direct political connections at all, no direct connections to any government at all. For example, these people could be selected at random from a pool. That pool could be comprised by nominations. The nominations must come from groups like professional groups, trade groups, environmental groups, industrial groups, unions, municipal groups, but not political parties and not their direct affiliates. The people nominated could include politicians but happening to be nominated by these other, nonpolitical groups. The groups who get to make the selections I would see perhaps being determined by MLAs and MPs, maybe Senators. I would like to see a minimum of partisan politics going on at this point and a good show of co-operation that would get the system going, happily.

Another issue that I think has to be addressed and surely would be addressed as part of this constituent assembly is our electoral laws. Right now I think money talks too much in our election processes. I think honest debate and a good exchange of succinct ideas doesn't talk loud enough. Our constituents have to have an open debate with politicians, with candidates, and not be wondering whether the candidate is saying what they believe, what they'll work on, or are they saying something that will get them a vote? At the same time, the candidate is faced with a very strong conflict of interest. That is because he needs money to run his campaign, and he's getting this from people who are not direct stakeholders in the community, from corporations, particularly multinational corporations, wealthy individuals who have financial interests in the area, et cetera. This dual allegiance is just impossible, I think, and as far as I can see, it's got to be maybe one of the main reasons why we get the kind of nonsense we're into now with the Al-Pac mill and the Oldman dam and garbage and this whole bag of worms.

I do agree that there ought to be a system of recall for your elected representatives, and I'm talking provincial, if that system persists, and federal and municipal. I mean, I don't know what this would be. It obviously would have to be something pretty formal and pretty serious. Nevertheless, to give somebody rein to reign and ruin for four years or five years or whatever maybe is not such a good idea.

About the Senate. I cannot see, unless we can get a long ways away from the problems I have with the current election system, that we want another system of electing anybody. I think it's got to be appointed, but the same considerations apply. I do not want it appointed from political parties, or at least not the way it is right now. Part of my concern is to get people in government, for one thing, who would not go through the mudslinging that our current elections involve, who have had substantial careers in a variety of fields, not just in law or small business. I want academics in there. I want people in this particular 21st century coming up who understand nature and science and who do not think that if they just say so, pollution isn't pollution; it's now just drinking water. There is a limit to what nature can tolerate, and I think possibly one of our problems now is that we have too many people in government in positions of power who have not studied natural systems and do not know what the real limits are and how to judge what science is telling them.

I think that the Senate could be appointed from lower levels of government, including the municipal and certainly the provincial. I think it could be appointed proportional to the popular votes, for example, so that it's not just the people in

government but that the other political parties get a chance to nominate.

This is the last point I want to make. An issue that's come up today a couple of times, and I hadn't really thought of it before, was the division of powers. I'm sorry to say it to this group, but I really think the provincial level is the one that we maybe should be diminishing. I think we need a strong central government, the same as one of the gentlemen earlier, and because of the complexity and the size of cities in this day and age, we need stronger city governments. The provincial level is somewhere in between there, and I really don't know how to divide the powers up, but the cities have to have more power to enhance the quality of life that most Canadians have to put up with.

Thank you very much for your time. It's been a very interesting afternoon so far.

MR. DEPUTY CHAIRMAN: Thank you very much, Marilyn.

The first member of the committee to be recognized is John McInnis.

MR. McINNIS: Marilyn, thank you for your presentation. You covered a lot of ground, and you gave us some useful material to work with. For not having prepared in advance, you managed to cover a lot of good points.

MS KAN: I had thought about it.

MR. McINNIS: Well, of course, and it shows.

There are many aspects I'm interested in, but if I can just zero in on a couple. One you mentioned was question period. You know, I've thought about that a lot, because that's the highest profile part of our parliamentary system, the part that the public sees the most. I guess it's the reason why the other gentleman feels, for example, that opposition is negative and you feel that there's all of this rude behaviour that goes on in government. The truth is that there's a lot more to it, but because of the focus on that theatre and the particular rules of it, all you get is sort of accusation followed by denial and counterallegation. I recall vividly my first experience personally with it. When you have basically one sentence preamble, one question, one supplementary, and you're out, there isn't a whole lot you can do. I wonder if you might feel that if somehow those rules could be relaxed and people could be a little more human like we are in this setup, maybe in a question period setup that would bring people closer to their governments?

3:22

MS KAN: I can appreciate that question period just represents perhaps some relatively minor point of MPs' and MLAs' days, and I'm not familiar enough with whatever the rules are to comment. But it strikes me that if they would at least remove the first part of each sentence, which is some kind of derogatory statement about the other guy, and just get on with the question, it would save TV time.

MR. McINNIS: The government members here seem to be all in favour of that.

MR. DEPUTY CHAIRMAN: As Deputy Speaker I'm encouraged by that.

MS KAN: And in terms of political comment when I hear . . . I must confess, I'm one of these people that rely very heavily on CBC radio – I don't have so much hope for the TV – for my information. But I also read newspapers from New York, Washington, and London when I get my hands on them, and I think that CBC stacks up very well, given those other opinions of what's going on in our country.

In terms of political comment Peter Gzowski has Kierans and crew on – what is it? – Thursday mornings, and that to me is enlightened political comment. You know, you can hear their original right, left, middle biases coming through, but they are not afraid to give the other guy credit for something that they approve of, and they have a longer view. They're not just looking at the next election or the next annual report for some multinational. Even the CBC program on Saturday morning, *The House* – frankly, I turn it off when they turn to politicians to get any kind of input, because it's so repetitive and so simplistic it's not worth it. That to me substantiates what I see in question period, I'm afraid.

MR. McINNIS: Well, I certainly think that you shouldn't criticize without providing alternatives, and I'd trade all of the opportunities for insults in the world for a chance to explain an alternative prior to a question.

MS KAN: I'm sorry. I didn't get the meaning.

MR. McINNIS: For the chance to put forward an alternative in the context of raising a question.

MS KAN: Well, maybe question period is not possible to do, whatever the rules are, in a meaningful way. I don't know. Maybe they should have cameras in the committee rooms so we can see what really is going on, if that's where the good stuff is supposed to be going on.

MR. DEPUTY CHAIRMAN: Many of us members have always wondered where the media went after question period, because there is a large part of the parliamentary day . . .

MS KAN: Yeah, so it's back to the TV and the ratings game. Gee whiz, if we get going on that, you'll have to shut me up. The misuse of TV on this continent is horrendous, legislated.

MR. McINNIS: I took also from your comments, Marilyn, that you saw a connection between multinational corporations financing election campaigns and the amount of pollution in some of the rationalization that we get from government, that those two things were sort of connected.

MS KAN: You've connected them a little closer than I wanted to. I would like to see government . . . I think in Germany, for example, and some European countries, governments pay for election expenses. Now, I don't know under what kind of details, but this business of having to raise big bucks, particularly so you can put commercials on TV and sell yourself like so many cornflakes – this is undermining democracy. Who are the – I don't know. I know there are some kinds of regulations about where you can get money and how much you can spend, et cetera, but I just feel these commercials, for example, are a very negative part of our election process, and they need big money to do a good commercial. I think that whole part should just be dropped in the interests of democracy and communication.

MR. McINNIS: So if I'm understanding, you would like to dramatically reduce the amount of money spent on campaigns,

to introduce perhaps some public financing, and to limit the contributions by large corporations?

MS KAN: Limit severely, and publicize absolutely what they are. And mandate access to the media by the candidates so that we can have debates, not commercials – you know, a minimum five minutes or something – and multiparty debates.

MR. DEPUTY CHAIRMAN: Mr. Day.

MR. DAY: Thanks. Marilyn, the question of constituent assembly has been raised a couple of times. I wonder if you can just help me understand a bit more how – and suggestions in pursuing this. First of all, you're talking about constituent assembly to decide constitutional issues. Is that correct?

MS KAN: To decide a whole new constitutional framework, if that's how we're going.

MR. DAY: Okay. Yeah. I guess the part I'm wondering about . . . Presently to be elected, the only disqualifying factor, I think, is citizenship; you have to be a citizen. There's very few disqualifying factors right now to be elected municipally, provincially, or federally. You're suggesting a fairly large disqualifying factor, which would be no government connections at all and not political groups or affiliates of political groups. I'm just wondering if you can help me understand that. For instance, in a constituent assembly I think there would be some excellent people in labour groups, yet labour is a major contributor to the ND Party. I don't think that should be a . . . Help me to understand why I should disqualify a good labour representative even though labour contributes heavily to the NDP political campaigns and TV ads and everything else. Can you help me understand why there should be a disqualifier because somebody has identified themselves strongly with a certain philosophic . . .

MS KAN: No. I think I must have mispronounced myself here. What I was suggesting, as someone else already has, was that the final names of the constituent assembly be pulled from a hat, from a larger body of names. These people who are in the larger body of names, these people nominated will be nominated by groups. I exclude the political parties from that, but I don't exclude any individuals from it, from anywhere. I'm saying that groups like your labour unions, like your municipal Lions groups and municipal community action groups, trades, professions, academics, these are the groups that will nominate individuals. They don't have to nominate somebody from their own ranks necessarily. I mean, they could say, "We like that MP, he's a really good guy, he really knows our field of interest, and we like the way he acts," and they'll nominate him. But I'm just saying that I really want to see – and I realize I'm going overboard and there will be probably a compromise in the best case. But I really want not to have this thing dominated by politicians. I want us to get a broad range of expertise involved and try to limit the vested interests that have helped to get us into this muck right now. So I'm not limiting politicians, but I'm just saying . . .

MR. DAY: No, I wasn't worried about the politicians. I was worried about citizens who affiliate themselves with political parties being disqualified.

MS KAN: Yeah, okay. So you're saying that because the labour union contributes to the NDP, they would be disqualified the way I had it set up.

MR. DAY: Right.

MS KAN: Okay. I was thinking more a formal affiliation like the friends of a Conservative Party that put on election campaign TV ads the last two weeks of the election or somebody like that.

MR. DAY: Yeah. Well, the labour one is very formal also on both sides of the spectrum. I just wouldn't want to see . . .

MS KAN: Okay. So then there's got to be some definition there. I wouldn't want to eliminate labour from this process either, and similarly I guess I don't want to eliminate somebody from the Fraser Institute. But the Fraser Institute is more likely to get in there right now than the labour unions.

MR. DAY: Just quickly. One of the main things we're hearing from the public is that they want more participation. Participatory democracy is now, and it's even more so in the future. Would you expect a negative reaction from the public in general on this type of process where people are being nominated without the broad public being able to have a say in who the nominees are?

MS KAN: Well, these are the broad public. I mean, I don't know. What are you getting at? Are you saying that an MLA is more directly a representative of the broad public than . . .

MR. DAY: No, Marilyn, I'm not talking about MLAs at all. I'm thinking if the average citizen who's going to vote for a constituent assembly would have nominees that were appointed, he or she may not have had any opportunity to get involved in that nomination process.

MS KAN: I don't see the grass roots voting for this constituent assembly. I see groups being selected by our representatives as representing – these groups are from a broad spectrum of society, and these groups are the ones that nominate people to . . .

3:32

MR. DEPUTY CHAIRMAN: To the assembly itself?

MS KAN: But it's not to the assembly, because they're still going to weed them down a little bit by pulling out of a hat, but nominating them to this pool from which, you know, whatever number you want is going to be selected to get a manageable number.

MR. DAY: Okay. I see what you're getting at there. So if you could just help me. From the groups, then, that you talked to or maybe your own group that you've chatted this with, you don't think there'd be a reaction from the public that the Constitution was being re-formed by people who weren't elected by the public?

MR. DEPUTY CHAIRMAN: They were chosen from a hat.

MS KAN: Well, maybe you could publish the list of groups that you're going to allow to nominate one person to this pool, and

if the public says, "Well, out of this whole group of people, this society's been left out and it should be in there," then maybe let them in or something. You let them in at this stage to let the public comment on the list of groups who are going to be allowed to make the nominations or something.

MR. DAY: Okay. Thanks.

MR. DEPUTY CHAIRMAN: Sheldon.

MR. CHUMIR: Thank you. You've been very clear about the need for a strong central government, something that I'm quite enthusiastic about. Out of an abundance of caution in order to ensure that there's no ambiguity, I just want to ask you about something in detail. I assume that you approve of the federal role in setting minimum standards in respect of our medicare and our social programs.

MS KAN: Yes, indeed.

MR. CHUMIR: Now, the provincial government has been arguing that this is an encroachment on what are really provincial powers over health and social services. If that be the case, then would you be in favour of some change to our Constitution which would ensure that the federal government in fact is given a mandate over those two to set those standards?

MS KAN: Well, you're involving me in a lot of detail which I'm not very adequate to deal with, but I do revere our medicare system. I think it's wonderful that we have it, and I really resent anybody who goes at it. I think it's got to have national standards.

I also think that we're coming to a crunch in the medical system, and this is again maybe why I want to have scientists, doctors, a nice broad background involved in our governments, because the high-tech, expensive treatments are getting a lot of glory, and we can't afford to have these for everybody. On the other hand, there's a lot of preventive medicine that's being completely overlooked because it's not sexy. We've got to get a better handle on health maintenance as opposed to disease treatment. Pollution certainly comes in on that and the whole cost/benefit analysis. You've got to not just look at one company and its profits. I mean, you've got to look at the whole of society and who's paying to clean up the mess, and these have got to be federal standards.

MR. CHUMIR: Do you think the federal role should be recognized explicitly in the Constitution?

MS KAN: I assume so. Sorry; I don't know the intricacies of what you're really getting at. I'm just saying what I want to see in the final analysis.

MR. CHUMIR: Okay. One final question. We've heard some support for entrenching a right of access of citizens to information from governments within the Constitution. Would you be supportive of something along those lines as well?

MS KAN: I would think that should be a right of a citizen, to find out who's made the decisions in government and keep them accountable, yes, and with some kind of time line on this process too.

MR. DEPUTY CHAIRMAN: Barrie.

MR. CHIVERS: Thank you, Mr. Chairman. Marilyn, I wanted to focus also on your thoughts concerning the constituent assembly. If I understood your thesis correctly, what you were wanting to do is to purify the process, if I can use those words – and I don't use them in a derogatory sense – in the sense of trying to make that process as remote from the present political process as possible and to take the politicians' overwhelming influences out of it as much as possible. Is that . . .

MS KAN: Well, the political establishment, by which I combine the politician, who is the part of the iceberg that's above the water, and the people who have vested interests in this guy's decisions, who are the part of the iceberg below.

MR. CHIVERS: Right. It's not often Mr. Day and I share the same viewpoints, but on this one I have the same concerns he has, because if I understood you correctly, you said our representatives would select which groups nominate. I assume when you said "our representatives," you were speaking of the government and presumably the government of the day, whatever government that is.

MS KAN: Well, I would think it should go further than the government. I would say it should be an all-party motion or something; you know, all the MLAs and MPs. Surely they can agree on this.

MR. CHIVERS: You see, my difficulty is this: he who gets to choose who gets to nominate controls the process, and also in terms of how many people are going to be nominated from each group. Are you going to give equal weight to each group?

MS KAN: I would think you'd have to. Maybe we need a group of academics to decide this process, but it just seems to me it's . . .

MR. CHIVERS: I guess the problem is: how do you take politics out of the process at any level, whether it's at a university level, academics? It seems to me that we're better served by recognizing that politics is very much a part of our decision-making process and not just in a partisan sense, to recognize that fact and to structure our process to accommodate that rather than try to deny its existence.

MS KAN: Politics is the way we all decide how we're going to live together, and this shouldn't be a derogatory word either, I agree. I don't have answers. I mean, you're coming to the finer strokes there, and I don't have answers for that, but I just think it should be a very broad-based constituent assembly with the emphasis on the groups that are not normally part of the legislative process.

MR. CHIVERS: On that I agree with you entirely. I was wondering. It seems to me one of the groups that you didn't specifically include, and I'm sure you didn't intend to exclude them, was aboriginal peoples. In terms of this I would have thought that your model would have included them and that you would want their views represented in it. And what about regional representation in this constituent assembly? Is that important to you?

MS KAN: It would have to be accommodated somehow, yeah, and similarly with this new Senate. It would have to be accommodated. I don't have answers for that.

MR. CHIVERS: What about the question of voting populations? Are the numbers of the representatives from the various organizations going to reflect their population numbers in some fashion? Is there going to be some sort of representation by population to the constituent assembly?

MS KAN: The only thing that occurs to me right now is that maybe if every MLA and every MP got to nominate one group or something, you'd get it that way.

MR. CHIVERS: Anyway, I don't intend to put you on the spot, because I see part of this process being for us to exchange views and to try to show some of the complexities of these decisions. Also, I think the interesting part of the process is, in a sense, it is taking some of the politics and the partisanship out of it, because we're all having to meet the ideas of individuals who come forward and say, "Hey, this isn't working; we want something different, and we've got to start looking for something different."

MS KAN: I don't know. Maybe you just go and see which groups are registered under the Societies Act. I have no idea, but I just want other people involved in the selection process. Also, this drawing out of a hat that somebody recommended two or three months ago struck me as a good way of disconnecting the person who is finally sitting in the constituent assembly. He wouldn't necessarily know who chose him in the first place. Maybe he would, maybe he wouldn't, but he's still going to get picked out this way.

MR. CHIVERS: We had a suggestion the other day in Calgary that the selection should be made by the Order of Canada, so we've had a whole host of different . . .

MS KAN: Yeah, absolutely. Well, maybe I'd turn the whole thing over to that group, period. Yeah.

MR. CHIVERS: Mr. Day had some problems with that too.

MR. DEPUTY CHAIRMAN: Dennis.

3:42

MR. ANDERSON: Thank you, Mr. Chairman. I, too, am interested in the constituent assembly concept and have similar thoughts as my colleagues do on that. Although before doing that, I should state, which I probably should have some time ago, that in terms of Mr. Chumir's preamble to many of these questions, as a member of the provincial government I have never been part of a discussion that suggested that we should withdraw from medicare or in some other way undermine that system. We have talked about whether there are powers at a national level that in our fast-moving world, once our systems have evolved, could in fact be better administered on the part of the people closer to them. But I've never heard the suggestion from the government side with respect to health care, for example.

Anyway, with regards to the constituent assembly, I very much appreciate you bringing in the idea. We're giving you a rough time in a sense on the details of it, which is a little unfair because the idea is much appreciated and it coming forth is important, I think, at this juncture, but it does underline the difficulty that we have in trying to find a mechanism that will involve the public, allow them to feel involved and yet still be representative. Since our democracy itself in electing people is supposed to be representative, finding some alternative is difficult. I guess I'd suggest that there are two problems with the mechanism you suggest. I only do that to say that we need to still think about how else we might do it, and I'd appreciate your further thoughts at a further time on it too.

One is determining what groups those would be that nominations come from. The Kidney Foundation as well as the mentally handicapped? Which native organization: all, none? Are they the Labour Congress or all parts of the labour organizations? When you try and do away with some political involvement – Mr. Day dealt with the difficulty of political parties, but it goes further than that. You know, are five members of my executive who've constituted themselves as citizens for a better Canada eligible, although they're my executive members, or aren't they? We have all of those questions.

Then I think the second difficulty is that even if we could conclude on that process, I ask the question: would Canadians be happy with deciding on the future of their nation by lottery? In other words, by taking out of a hat, as you suggest; by luck as opposed to by choice. Maybe, but I . . .

MS KAN: If you'll excuse me, I think you're using a very common debating tactic, and that is taking extreme positions and trying to undermine the general case by using them. I mean, this is not a lottery insofar as these people have all been appointed by some groups that presumably have been approved by people like yourselves as responsible and significant members of society. So this is hardly a lottery. All of the candidates are good candidates.

MR. ANDERSON: But are they all acceptable to the public?

MS KAN: Well, all of them are not likely to be acceptable. Any particular group is not all acceptable to any member of the public necessarily.

MR. ANDERSON: Would you be happy to be represented by the six of us as an organization choosing somebody who happened to get in there because their name was picked out of a hat?

MS KAN: Can I go back to the top of your comments? Your comments – and you've made them to other people in this group – about having the provincial level administer things and decide things because they're closer to the people. I would put it to you that a regional government is closer to the people yet and that in a lot of cases some of the things that the provincial government is trying to do might be better handled by the municipality. Maybe the provincial government should be a creature of the municipalities instead of vice versa the way it is currently or a creature of the municipalities and the federal government as an administrator/regional co-ordinator.

Now, you say the public "feel involved." I sort of get nervous about that word "feel" involved because I think there's been a lot of pollsters and whatnot coming around to find out how governments can put things so that the public "feel" involved, but I want them to "be" involved, to be involved and not then have their decisions – this constituent assembly, for example – filtered through the current political Houses. I mean, this constituent assembly would have authority to come up with the final recommendation. I don't want just the appearance of involvement.

I can't select who these groups would be, and obviously we don't want it to be the mental defectives of bloc 1222 Cabin Creek in Jasper. There's got to be some kind of criteria for these associations who are going to make these nominations. Surely an all-party committee or some of our other famous solutions in Legislatures would be the group to figure this out a lot better than I can. But it's got to be groups of substance and of some tradition and of some contribution to society, economics, industry, and whatnot.

MR. DEPUTY CHAIRMAN: Thank you very much.

MS KAN: Thank you very much, and good luck.

MR. DEPUTY CHAIRMAN: Our last person on the list as far as the committee has notice is Mr. Aime Auriat.

MR. AURIAT: That's pretty close.

Tell you what; just to show you how gathered my thoughts are, they're all noted on the back of display cards. I get to read this side while you're reading that side.

MR. DEPUTY CHAIRMAN: Welcome.

MR. AURIAT: Thank you very much, and I certainly appreciate the opportunity that I have to express my views. I've heard a lot of views today, I must say.

The one thing – and I guess it's been solidified as I've been sitting listening this afternoon – the one major concern I have about the reform process is the process itself. I must say – and it's really been enforced over the last two hours – that I really have to question the actual process whereby we're attempting to bring about this reform. I've made a few comments, I've jotted them down, so I'll try and follow these things through.

The first thing that comes to my mind is that when you're attempting to solve a problem, you have to define the problem. I don't know if I really know what the problem is. I know that we're talking about some form of reform, but what is the objective of this reform? I gathered, or at least I had the single purpose in mind when I came here, that seemingly the major concern that we now have as Canadians is whether or not we're going to remain a united Canada. That was originally my major concern. Now I'm not so sure if that is my major concern, because it seems to have been disaggregated.

Let me go back to the original concern: do we want to be Canadians, and what is a Canadian? I have to ask myself: why do I care if I'm a Canadian, and why do I care if people from Vancouver to Sydney are also Canadians? Does that matter to me? I'll tell you, sometimes I really can't give you a very good answer; in fact, I can't now. I break it down into two basic ways of looking at it.

The first is that I ask the question: does it make economic sense to belong as an economic union? Does that make sense? Based on my background as an economist, I am sure there are those who would differ. I don't think it does. I don't really think it matters whether we belong as one group from coast to coast as a member of one economic union. I don't think the grain farmer in Saskatchewan really cares at all whether there's some form of economic union. We trade more of our grain with the rest of the world than we do with the rest of Canada. So you have to ask that question, and I don't think that we have the economic foundation for a unified country.

Then after that you say: well, what do I have to turn to then? Why do I want to be a Canadian? All I've got left are social factors: my background, the things that I share with other people, common concerns. Do we have those? My answer to that is yes, we do have those things. We have a lot of differences too, there's no doubt about that, but we do have a lot of things that are in common. Where do we get these things in common? I guess a lot of my ideas come from grade 6 social studies, because I'm fortunate enough to be part of my children's learning process. They're taking grade 6 social studies now, you see, so I read these things.

3:52

You look back, and the people that originally populated our country were of a common type; they were. They came from all different sorts of nations, but the one thing they had in common, which was somewhat different than the Americans, if I might note, is that they were trying to escape from some form of oppression. Typically, it was political; sometimes it was social. They came to a country called Canada because they were looking for some sort of a way out from the oppression that they were already suffering from. They came here, and obviously they had to have some form of difference. They had to be somewhat different from a lot of other settlers because they came to a country that had six months of an extremely harsh climate; it wasn't easy to live here. They had huge distances to cover, and they had a hard time making a living, but they stayed here.

Now, there's got to be some reason why they stayed. Those are the basic reasons that I look to to define to myself why it's important for me to be a Canadian. I do believe it's important to be a Canadian. In three weeks from now my family is fortunate enough to travel to Ottawa, and we're going to visit some people in Quebec and so on. I really hope that there are a lot of people there who believe the same things as I do, because it seems as if that's the fundamental issue that we're dealing with now. I know there are lots of other ones, like defence spending, education, and so on. But, really, whether we're going to stay together as a single, unified nation or whether we're going to become a member of separated economic agencies or whatever – however you would define that – it seems to me that's the fundamental question that we have to ask ourselves when we're talking about reform. Because if we're going to break the country apart into separate little pieces, then obviously a single form of central government makes no sense whatsoever, does it?

We can have constitutional reform until hell freezes over, but we're not going to be reforming the right groups. What we should then be looking at is strong provincial agencies and perhaps even municipal forms of government, because we're going to be breaking apart. If we do start the breakup process, it's almost certain that the breakup will occur and keep occurring. It's likely going to be a chain assembly, and we're going to look at much different forms of government; there's no doubt about it. If we do find that it is important to be a Canadian, how do we do that? Do we look to a strong central government? I assume so. Then all the other questions that we've asked today come into mind. What is this strong central government? What does it look like?

I guess, then, as sort of a way of summarizing things, it's such a difficult concept. I think Mr. Chivers pointed that out. You know, it is certainly a very complex thing we're dealing with. If we try and bring it back down to single issues, to single points, we're almost certainly going to fail, because it isn't a single issue that we're dealing with. It's a whole complex matter and the way in which these complex single issues interrelate. Because it's

the interrelationships that are important, not the single things, isn't it? I think about it, and I say: well, what sort of solution can I propose? Obviously, I'm expecting that of others, right? I'm expecting some solution. So what can I – I don't think I can come up with a real . . . Like, I can't come up with a unique solution. My God, I'd be certainly nominated for some sort of Nobel prize, I'm sure.

I guess, then, to summarize the whole thing, I do believe there is some form of consensus amongst Canadians. We have a very divisive issue at hand between the languages of French and English. I agree that that does seem to be a real conundrum. It really seems to boil down to that. I can hardly believe it would be over two languages, but I don't think it's really the languages themselves. It also has to do with some sort of deeper social differences underneath. Perhaps then we have to have some sort of – we do have to reflect that. I guess we will have to find that out through a process similar to this, and then we're going to have to deal with those things.

All I can hope is that in any issue where you have an aggregate level that's built upon some form of base that uses little individual bits of information, we have some form of consistency. That's the concern, I guess, the major concern that I sort of developed as I listened today: that we build a macropolicy that has a strong foundation and a sense of consistency within the little bits of information that are fed into it. Unfortunately, that is going to be the complex task of a group such as this. I can appreciate that. My background is in economics, I guess, if you have a background. Certainly in that field you deal constantly with that issue: are macropolicies consistent with micropolicies? Supposedly, they were built together. Unfortunately, they don't seem to be consistent in many cases.

I think that's essentially where we're at. We've got a whole bunch of little problems, and we have some real big problems. I hope that we look to the real big problems first and then build a policy that, hopefully, can incorporate some form of solution or at least a process whereby you can reach consensus on some of the other ones.

That's it.

MR. DEPUTY CHAIRMAN: Thank you. The Chair would invite you to take that booklet, if you haven't already . . .

MR. AURIAT: I've read the booklet.

MR. DEPUTY CHAIRMAN: After you've had the benefit of this trip this summer, if you have any additional supplemental information you'd like to provide, I'm seriously making the suggestion that you use the booklet to contact the committee with whatever you may have found as a result of that experience, because it could be revealing.

MR. AURIAT: I hope it is.

MR. DEPUTY CHAIRMAN: We do too. Before you go though, Barrie would like to ask some questions, and we have other members. Thank you.

MR. CHIVERS: Thank you, Mr. Chairman. I think you've identified – and I think I share this with other members of the committee. You stated at the outset that when you came here, you came thinking, "Well, it's just a matter of defining the problem: what's the objective of reform?" So it was the product that was important, but after listening to the discussion today, you've become concerned about the process. I bounced back and forth on that too. I think the reality of it is that the process and the product are inextricably intertwined, and the process we choose is to a certain extent going to influence the product that we obtain. That's why this idea of a constituent assembly – who gets to choose, who's going to nominate? – is so crucial, and we can't separate it. I think we've got to come to grips with that, that the two processes are going to have to be interlinked and we're going to have to go along the process step by step.

I'm just wondering: do you have some ideas in terms of process? Let's focus on that. What kind of a process do you see?

MR. AURIAT: Well, I would hope to think that the process itself would not be caught up with identifying necessarily subprocesses, sort of the microfoundations. I would be more concerned that they would identify the goals, like what is it that we have to do? What do we have to do? What do we want to do, and then can we do it? The "can we do it" part has to be something that you work out later. It's impossible. I can't see how it can be possible to solve all problems with the Spicer commission and a whole bunch of other commissions. They can't do that. They're there essentially to gather information. You can't gather – you're not gathering many solutions today. What we're gathering is a lot of information, and I think that information would have to be utilized to sort of define the problem.

MR. CHIVERS: So what does it mean to you to be a Canadian?

MR. AURIAT: Well, I'll tell you – really uniquely, I guess, in a sense – what it means to me to be a Canadian. Two of my uncles died in the Second World War, so I guess that brings back some sort of feeling of loyalty with the family. Obviously, either they died for an incredibly silly reason or they died for some reason that made sense. Were we protecting ourselves or some beliefs that we held dear? I would hope that there is something there, that I could share that with others. Certainly others have sacrificed for myself, my family.

In Canada we enjoy a life-style that is second to none. We're the most fortunate people in the whole world. We have freedom that abounds. We can come to meetings like this and say what we feel, and we don't have to worry about being censored. We don't have to worry – economic hardship is practically nonexistent. I know that I would be criticized for that by some, but, really, there are a bountiful number of opportunities to advance yourself. There are problems, of course, but to be a Canadian . . . It's difficult.

MR. CHIVERS: Well, I want to join with the chairman in urging you, after you've had your trip, if you have some more thoughts, to send them in to us, because I think it'll be interesting to see what influence that has on you. I don't want to monopolize. I know there are other members of the committee that want to ask you some questions, so thank you.

MR. DEPUTY CHAIRMAN: Yes, we've a long list, Barrie.

Nancy.

MS BETKOWSKI: Thank you. Mr. Auriat, I hope you won't find this question unfair to you, but I note your name is Aime Auriat. You obviously have a French Canadian background. Am I fair in saying that?

4:02

MR. AURIAT: Yeah. I guess in a sense that's true.

MS BETKOWSKI: Simone Topott said, I think very perceptively, frankly, that we are dealing as Canadians with the problem of unity that bilingualism was supposed to solve. One of the comments we've heard is that official bilingualism is not maybe serving the needs that it should. I guess my question to you is one with respect to official bilingualism. How do you feel about official bilingualism? Further, you've spoken about your friends in Quebec. How do you think they feel about official bilingualism?

MR. AURIAT: Bilingualism and speaking French are two different things, aren't they.

MS BETKOWSKI: That's right.

MR. AURIAT: I think the whole issue of bilingualism has come about because of a deeper sense of difference that Quebec feels, perhaps vis-à-vis, if you'd use the trite term, "anglophone Canada." I think a lot of that is based on a difference in terms of sharing economic well-being from the 1800s, even the 1700s.

I think some of that sort of discontent is reasonable. I can understand why they're concerned. Unfortunately, it seems as though the avenue they have found and that they use to express that is one of language and so on. I don't really think the issue is language. I don't think it's language at all. If you want my personal opinion, I don't feel strongly at all about bilingualism. I'd just as soon not crowd the cornflakes boxes. It's difficult enough to read the one thing; you know? Four-sided containers are soon going to be a thing of the past. You're going to have to have six soon.

MS BETKOWSKI: I guess one of our frustrations and certainly one of mine as a Canadian, and we've had this expressed to the committee, is: are we really hearing from the Quebecker or from the Albertan or from the person from Saskatchewan or from the Canadian as opposed to hearing a view expressed probably through their political processes? So the second question I have is with respect to enhancing that process, giving to Canadians not a better feel, Ms Kan, but a better role in the process. Do you have any suggestions along those lines for the committee?

MR. AURIAT: Yeah, I'm wondering about that myself. Really, when listening to all the thoughts on political reform, I think that there could be some positive changes in the political process, but I'm not really totally upset with the political process that's in place. I don't think it's being utilized very well, though, and a lot of it has to do with the education of members of society in general to access that and make their views known. I know Craig and I have talked about that a lot, and I've probably talked to some other people about that. You almost wonder why 1990 is such a unique time. Why are we having so many problems now? Why didn't we have these problems in 1965? We had different problems then, I guess.

I think people are now at the threshold of involvement. They're sensing frustration, and they don't quite know how to find an access. They know that they're unhappy and that somebody should be doing something about it, but what they don't recognize is that it's themselves. Who is it that said: we saw the enemy, and they is us? That kind of thing.

MR. DEPUTY CHAIRMAN: It was Alfred E. Neuman, a well-known . . . [interjections]

MR. McINNIS: Pogo. No points on that one.

MS BETKOWSKI: Thank you very much.

MR. DEPUTY CHAIRMAN: Next is Dennis.

MR. ANDERSON: Thank you, Mr. Chairman. I think you've touched on one of the uncomfortable feelings that all of us have had, and that is: what is the question; what is the focus that we're looking for? I've been involved in past constitutional discussions in the development of Senate reform proposals. In those, we had focused areas where we were talking about specific changes. Today we're talking about the nation in total. I guess in that macrosense that finding the questions is going to be the key, and I don't know that we've found them. As soon as you do, if you don't get the Pulitzer prize, we'd find one for you somewhere.

You said: why in the 1990s versus '65? I'm wondering if you feel that this change might be just as a result of the rapid change that the world is going through, the change that people are going through, and therefore a relook at our whole system. Did we build a model T Ford in 1867 that now is still trying to travel down a highway which requires a much better vehicle, a much more efficient one, and one that's built for 10 provinces and a national government rather than four and a national government, as it was in 1867? Have you any further thoughts on that question?

A question we should be asking besides is: do we want a Canada? With only a very few exceptions I think everybody who's appeared before us say that they do. Some say, "Not at any cost," or "We want it in this way," but they want a strong Canada. You mentioned a strong foundation and consistency, and I think there's general agreement on that, but how or what kind of nation is another one. Do we want a nation where people in each part of it can utilize the special cultural, economic, and other aspects of those parts of the country to obtain maximum potential and contribute all of that in some way nationally, or do we want a centrally controlled nation evolving? My question is not very clear and not very precise, and it's because you've touched on the problem: we don't have a clear, precise question and therefore don't even know what we're seeking answers to. Is it yes or no, and to what? Any thoughts on those macroquestions, though: type of nation, style of direction, form of government?

MR. AURIAT: I think I understand what you're saying. Firstly, I don't know if I share this view with others, but I hope I do, and that's that I have a wary eye towards radical reform. You know, I don't like to change anything that fast. I don't think we're that far away from where we really want to be. I really don't. I don't think we're, like, miles away; I think we're close. We just don't quite know how to get this thing working just right. So rather than talking about massive change, I think I would start with some form of moderate change.

You know, the issue in Quebec tends to dominate a lot, and I don't think we've come to grips with it. Mr. Trudeau started the whole thing off in a rather dogmatic manner, and we haven't been able to unwind that thing yet. We haven't been able to bring it down to a level that we can even talk about it. As soon as we start talking about this issue, we start to get feelings in our hearts instead of in our heads. So in terms of solutions I would

think that maybe what we do is to try to start thinking with our heads.

I guess that comes back to the long-term solution to any problem, and that's education. Education, I guess, is also part of the problem right here, because as people have become more aware, they now are at the stage where they're unsatisfied with the past. So I guess my question, too, would be the same as yours. I would say that I'd like to see a Canada exist. I would like to be part of a Canada, but I would like to then also know that it's going to be a special kind of Canada, not one that's just loosely defined. I think it requires some fine-tuning. For example, I think areas are different, so differences are going to have to continue to exist. You can't have a homogeneous country when we've got grain farmers in Saskatchewan as compared to shoe manufacturers in Quebec. There's not much homogeneity there, so I think we have to live with that. I don't think it's impossible, and like I say that I don't think we're that far away from it. I just think that we have to be a little bit calmer about it.

4:12

MR. DEPUTY CHAIRMAN: John.

MR. McINNIS: Thank you, Mr. Chairman. Aime, I was interested in your comments on the economic front, particularly given your background in that area, especially the comment about the contradiction between the macro and the micro level, the type of problems we have. Just so I'm clear: are you talking about – I'll give you an example. The federal government has a position where they are cutting back on available dollars to provinces for health care, postsecondary education, and social assistance. In the province of Ontario they've been hard hit by a recession, and the provincial government feels strongly that they want to look after people who are hurt and to have training funds. The combination of the two has led to a difficult financial situation for the province of Ontario. Now you have the federal government pointing fingers at Ontario and making all kinds of accusations. Is that the type of thing you're talking about in terms of the contradiction between the macro and the micro?

MR. AURIAT: No, I don't think that's quite what I was talking about, although that's certainly a matter of conflict. I guess the differences between the particular views of a province and the overall views of a central government would reflect that type of problem. Of course, Ontario has different interests at this current time than the federal government would have. Perhaps their decision is correct whereas that of the federal government could also be correct. Isn't that a strange one?

Probably the best example you could have in terms of economics is in the interest of an individual in earning profit. Certainly in a perfectly competitive market the efforts of the individual to earn profit is what thwarts the overall efforts of all other individuals in his group from earning profit. So that's the inconsistency at an aggregate level, whereas it is consistent for the individual. You can see signs of that, I guess, with the provincial government in Ontario running a deficit whereas the rest of us are espousing the need at least – or if not necessarily doing it, at least we're talking about it being important to do. Right? You know, there's a difference between those two, of course.

MR. McINNIS: It's easier to talk about than to do sometimes.

MR. AURIAT: Yeah, I don't know. I read papers with interest, and I have to realize that those are very complex problems.

MR. McINNIS: If I missed the point: the conflict you talked about was between individuals versus the overall economy. That was the point.

MR. AURIAT: That's an example. That's just an example.

MR. McINNIS: Okay, thank you.

MR. AURIAT: Not a very meaningful one, if I might add.

MR. DEPUTY CHAIRMAN: Pearl.

MS CALAHASEN: Thank you, Mr. Chairman. You've brought some really enlightening kinds of views in terms of our discussions today and hit on a lot of different topics. I just wanted to hear your views in terms of where you think the aboriginal people would kind of . . . Actually, I should reword that. What kinds of dealings should we have in terms of the aboriginal people? What would be your view on that regarding the Constitution?

MR. AURIAT: The unfortunate part of that, of course, is that I don't have much of a background in those areas. I guess it's just simply the opinion of one Canadian that, you know, natives and aboriginal groups certainly do have justifiable concerns. I don't think we've always treated them fairly in the past. By "we" I have to be careful. Who is "we"? "We" is the group of . . .

MS CALAHASEN: "We" is the government.

MR. AURIAT: Yeah. I think they do have particular concerns. Again, you know, that's part of the thing that we and even Quebec are going to have realize: if you belong to a whole, sometimes you have to subjugate some of your particular interests in order that those of others may prevail as well. In fact, that's an order of consistency in any aggregation. There are going to have to be some things that you have to do second best with. Now, I'm not saying that we do that with aboriginal rights. I think there are a lot of people in those groups that would certainly be open minded and realize that in order to have some things, they have to give up some other things. I think maybe that's the main, central issue of frustration that both groups would probably feel. Maybe one group would say that we should, for example, stop the construction on the Oldman dam, and the others feel that they shouldn't. I don't know. Those are pretty tough things to deal with, aren't they?

MS CALAHASEN: Yeah, they are actually. I just wondered about rights in terms of the aboriginal people and their position in saying that they should have their rights entrenched as well as dealing with being involved in any kind of constitutional talks.

MR. AURIAT: I don't know what entrenchment in the Constitution would actually do about that. I guess their rights should be honoured. As to whether or not entrenchment in the Constitution is going to do anything about that, I'm not so sure that would happen either. I don't know how important entrenchment in the Constitution is. I guess people who are more versed in constitutional affairs would probably know that.

MS CALAHASEN: Thank you.

MR. DEPUTY CHAIRMAN: We heard evidence from a person yesterday who said that there can be the most highfalutin written Constitution available, and it means absolutely zero. Some of those countries that had those are now seemingly falling apart.

Mr. Chumir.

MR. CHUMIR: Thank you, Aime. I appreciate your presentation. I hope I'm getting the structure correct. You started off in terms of fundamentals by suggesting that we have to ask whether it's important to be Canadian, and I understood you to say personally, for yourself, that yes, it is. Then I understood you to say that if so, then we look for – at least your own personal view is: if we do feel it's important to be Canadian, then we look to or for a strong central government. That is correct, is it?

MR. AURIAT: Yeah. I see no other way out. That's right. There certainly has to be something that has to exist.

MR. CHUMIR: Okay. Could I then ask you about your views with respect to a federal role in establishing and setting minimum standards with respect to our medicare and social service systems and the funding of those systems in the realm of having a strong central government, keeping in mind that there are some groups in the country that have suggested that all jurisdiction in those areas should be at the provincial level; it should be just the provinces that set those things. I would appreciate your views.

MR. AURIAT: Well, I think that would be fairly apparent. I can't see how that would be the case. If we want to belong to a group, we have to give the group some authority. I think it's odd that we talk about medicare. We've all talked about medicare today. Obviously, that must be something that's Canadian, isn't it? And it is, so obviously medicare reflects something more than simply a medical system. Maybe it infers that we care about people who don't have the ability to access medical treatment if they don't have the money. Obviously it does. I really firmly believe that being Canadian means something different than being some other peoples. It's not important to mention other societies. Obviously, we care about that. We've got the finest medical treatment facilities in the world, really. Unfortunately, it's taken advantage of somewhat, but I guess that comes with an openness, doesn't it? When you have a system that is going to take care of people who need care, there are going to be those who don't need care that are going to be taken care of too.

MR. CHUMIR: In a nutshell you're saying that you do want the federal government to have its continuing role in the medicare system?

MR. AURIAT: Sure. They have to have strength there. Yeah.

MR. CHUMIR: Okay. There is a whole range of other social programs where there are certain minimum standards established by the federal government from one end of the country to the other. Even though most of these programs are actually administered, in fact, by the provinces, the standards are established through the funding mechanism. Is that another area that you, in your own personal value system, feel is important to the strong central government?

MR. AURIAT: I just recently heard the opinion expressed, and I think it's a general opinion rather than a specific one, that if you are going to be given the responsibility of administering a program, then you ought to have some say in terms of setting its parameters. So obviously I can't agree that the federal government should have the right to set the standards and not have the responsibility to meet those standards. I think that's obviously one of those tough ones, where you have to deal with it on a consistent basis. Right? What's consistent there? I think there should be consistency amongst the standards, but then that infers that there has to be some consistency in terms of providing for the methods and the means. I guess it means then that the federal government should be responsible for remitting the funds. I mean, how else can you do it? You can't be setting the laws or giving people jobs and saying, "You're responsible for doing that, but you can't command the respect of the other people that are working there."

4:22

MR. CHUMIR: Do you envisage any role for the federal government in education?

MR. AURIAT: Well, I think they do have a role in terms of the universities and so on, don't they? I think they have a direct roll there, as I understand it.

MR. CHUMIR: They provide funding, but they're not usually tied to any criteria. It's a block grant without any conditions. So the question that people are wrestling with – in fact Mr. Mulroney has just suggested a federal role in education, which has traditionally been within exclusive provincial jurisdiction. We're trying to figure out if there's any role at all for this. Should the feds be involved to some extent at least?

MR. AURIAT: You'd have to look at the economics of the development of the educational systems from a lot further back than just what I know about them to really come up with a well-informed answer on that. You know, standards have to be set. That's true. And they should be consistent across the nation. I was just reading in the paper yesterday that now Ontario doesn't want to take part in the standardization testing for grade 7 students or grade 11 or grade 12 students?

MR. DEPUTY CHAIRMAN: Grade 12. High school leaving.

MR. AURIAT: Yeah. They weren't even inferring that it was going to be a pass or fail kind of thing; it wasn't that. It was just to see if their performance was consistent with that exhibited by the other provinces, and they didn't want to do that. I guess the federal government should probably provide a form of consistency there. In terms of the funding, obviously funding for the public school system is now at the provincial level. It seems to work well.

MR. DEPUTY CHAIRMAN: Stockwell.

MR. DAY: Aime, just pursuing again vis-à-vis federal/provincial jurisdiction, should there be any checks on federal jurisdiction? Let me just toss out a couple of examples. The national energy program: we're all only too painfully aware of what it did to our economy. Some would suggest it probably robbed us

forever of the chance of being energy self-sufficient. It was a program of the federal government which, in a particular province, namely Alberta, had overwhelming opposition, yet we had no say in it. The federal government talks about universal day care. In the province of Alberta we feel that day care should be available and some people even helped in financing the cost of that, but a couple of professionals making a hundred thousand dollars apiece probably shouldn't have subsidies in terms of day care. So there's something again where the province disagrees with the federal government quite strongly. Official bilingualism: there seems to be a lot of concern about how that's enacted here in Alberta. Should the federal government have just a free-for-all rein? What kind of checks can you suggest to us in terms of that type of thing?

MR. AURIAT: Gee, that's a good one. See? I learned a lot today.

MR. DAY: We're learning a lot too.

MR. McINNIS: Well, be careful now.

MR. AURIAT: That's biased, right?

There's no doubt about that, of course, and I inferred that by my statement that Canada has to be a special form of Canada. I don't want a Canada at all costs, as Dennis pointed out. That's not of interest to me, obviously. I'm not willing to give that up. I totally agree with you that provinces have to – as the lady who spoke prior to me mentioned, as you get closer and closer to those that are actually making the basic decision by voting, you would hope that you're getting a better sort of inferential sampling. I guess that would be the only way of looking at it. Hopefully your actions would be more reflecting their desires. In Alberta we tend to perhaps have a different way of looking at things than some others might. I agree with you that people who are jointly making $200,000 a year really don't require access to subsidized day care, although day care itself may be very important. The question is: should provincial governments have certain rights and ways of accessing those rights? Absolutely. I totally agree with you.

MR. DAY: Just to help you understand the process we're going about right now – and we're trying to understand it too. We're all familiar with what Churchill said about democracy: you know, there's all kinds of negative stuff, but it just happens to be better than any other form of government that has been tried. This is not a perfect process, and the result isn't going to be perfect. We're hoping that we can all come to grips with that imperfection. But in terms of the process here – taking our committees around, hearing from people, sending thousands of these brochures around with a little green leaf on the front and getting hundreds of written replies back, phone calls by the thousands, and many of us are sending out questionnaires to our constituents – would the process be helped, as has already been suggested here today and in other places, by also looking at a constituent assembly, layering that on top of what we're doing already? From what you know or maybe have heard, would that be a help or a hindrance? Have you got any feelings on that?

MR. AURIAT: Actually, today was the first time I ever heard of a constituent assembly. I've heard of Athenian democracy and all sorts of other things, but I never heard of that one. I don't know, really. I guess from what I gathered today that no, I don't think it would be a good idea. I like the idea of electing people. I like that. I think that's an important thing.

Craig mentioned earlier in his presentation that there have to be perhaps some changes. When you vote for people in a constituency – let's say that across the province 60 percent of the people vote for one particular party and 30 percent vote for the other, and the final number of allocated seats doesn't reflect that at all. That certainly concerns me. That doesn't seem to be very representative. Then also is the right of the party itself to control the direction of those that are involved in the decision-making. I don't agree with that either. I don't agree with it at all. I very strongly disagree with it. You know, there's no way that the Premier or Prime Minister should have any more sway in terms of whether a vote should be passed or not than any of the individual, elected MPs or MLAs. That's why we send them there.

MR. DAY: Good. Thanks, Aime.

MR. DEPUTY CHAIRMAN: As far as the committee is aware, we have exhausted our supply of presenters, as well as maybe the committee. On behalf of the committee, I would like to express our appreciation and thanks to everyone who has appeared before us today to help in the process of what we're all trying to accomplish, and that is a better situation for all of us in Canada. Thank you very much.

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