

7 p.m.

Friday, May 31, 1991

[Acting Deputy Chairman: Mr. Rostad]

**MR. ACTING DEPUTY CHAIRMAN:** Ladies and gentlemen, I guess we can prepare to commence our evening. Welcome to our second weekend session in Calgary. My name's Ken Rostad, the MLA for Camrose, serving as chairman tonight. The chairman of this panel is the Hon. Jim Horsman, MLA for Medicine Hat. He couldn't be with us tonight. His daughter is graduating from high school, and I guess there are priorities. I'll have all of my colleagues introduce themselves so you do know who is on this panel. It was the other panel that was here last weekend.

Bob.

**MR. HAWKESWORTH:** Thank you, Mr. Chairman, and welcome to Calgary, all of my colleagues. I'm the MLA for Calgary-Mountain View.

**MRS. GAGNON:** Hi. It's great to be back in Calgary. We've been on the road all week. I'm Yolande Gagnon, Calgary-McKnight.

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

**MR. SEVERTSON:** Gary Severtson, MLA for Innisfail.

**MR. BRADLEY:** Fred Bradley, MLA for Pincher Creek-Crownsnest.

**MR. McINNIS:** John McInnis, MLA for Edmonton-Jasper Place, home of the world-famous West Edmonton Mall.

**MR. ACTING DEPUTY CHAIRMAN:** Thanks, colleagues. We have a busy night. We have held hearings in Medicine Hat all day, so if you see any of the members here glaze over as the evening goes on, throw a spitball at them.

Just a few administrative details so that we can ensure that everyone knows how the evening will work and we can keep ourselves pretty well on the timing of the agenda. Garry Pocock, secretary of the panel, has a timer. It will be set for 10 minutes, it'll ring, and then he'll reset it for another five, just as an indication to the presenters that at 10 minutes you will have another five minutes. If you wish to have time for questioning, please try and allow for that within your presentation. We will still try and fit questioning in, but everybody's slotted on a rather tight schedule of 15 minutes each. At 9 o'clock we have an unscheduled part where we'll try to fit in people who have not been able to arrange for a designated time but are here, and that procedure will be just to make a presentation on a shorter time line, and we won't be questioning, again just to be able to accommodate the meeting ending by 10 o'clock.

With that I guess we can commence. Our first presenter is Mayor Duerr. Welcome.

**MR. DUERR:** Thank you. I have bound copies so you can have something to scratch on. What I will do, Mr. Chairman, is try and follow this to a reasonable degree and try and leave some time for questions. I would also like to welcome you back to Calgary and say that after going through two days of solid hearings last week, I don't envy you at all. I certainly laud the committee for the very important work that I believe it is doing.

I believe that certainly governments recently have encountered skepticism and concern from citizens about previous constitutional review processes and the extent to which past discussions have effectively represented public opinion. I think it is this concern which has prompted Calgarians and city council to ask me to come here to speak to you this evening. In this work which lies ahead, this work for you and this work I guess for all of us, I think it is incumbent upon each of us as elected representatives to ensure that we provide opportunities to listen to and to represent the concerns of our constituents.

In this process it is also important, I believe, to look forward not just to the rest of this decade but to a new century and into that century. We must all ask ourselves what we want of our community, our province, and our country in the year 2000 and beyond. The city of Calgary has undertaken such a process. We're prepared to plan Calgary into the 21st century in order to position our city to compete effectively and prosper in the next century. In response to the province's Vision 2020 initiative, which was an excellent initiative, I might add, the city also produced its own Vision 2020 document. We involved citizens actively in that process. Over 300 Calgarians were involved, and these two documents in a very real way and actually with a fair degree of consistency, although there were different processes, define what Calgarians see as their vision for the future for the city of Calgary.

As I listen to and share in many of the comments and ideas voiced by Calgarians, I believe that most people aspire to a prosperous, competitive, and growing economy and a country which is concerned with its future, its environment, its quality of life, and a country which is united for ourselves and certainly for our children. In order to achieve this vision, though, there are a number of issues which must be addressed. In this presentation to you this evening I am going to briefly dwell on five of what I believe to be key issues: the first, the role of municipalities within our federal system; the second, the division of powers between levels of government; the third, aboriginal rights in these discussions; the fourth, individual rights and responsibilities; and the fifth, the relationship between economic issues and our nation's future. These five issues will be important ones for us to study, to obtain comments on from citizens, and ultimately to address during these upcoming months.

With respect to the first issue, I would like to raise tonight concerns that the federal system in Canada, in particular as it relates to municipal issues, is not I believe fully understood. As we know, the Canadian federal system divides and assigns legislative responsibility for issues to the federal and provincial governments. This division includes the assignment of responsibility for municipal institutions to provincial governments. No separate authority is assigned to municipal government in the Constitution. Municipalities have often been described as creations, or sometimes creatures, of the provincial governments.

However, the role of municipalities has grown and changed significantly since Confederation. When municipal institutions were assigned to provincial responsibility in 1867, there were only a few cities and towns in Canada. Our western population tended to be largely rural and dispersed, and municipalities were for the most part small and relatively isolated settlements serving outlying rural areas. There was a low level of demand for public services, and municipalities provided limited support for education, public welfare, and road maintenance, very, very limited responsibilities.

Following the incorporation of the city of Calgary in 1894 and the entry of the province of Alberta into Confederation in 1905, the west began to grow rapidly. Transportation links, settlement

policies, and agricultural development brought many changes to the west, including the establishment of a number of new municipalities. With the advent of the Depression in the 1930s the growing pressure on local government to provide increasing services was apparent. Local governments, with support from the provinces, were called upon to assist the unemployed and the homeless. The Rowell-Sirois commission identified the need for basic standards for social services as well as unemployment relief. The report of the Rowell-Sirois commission also recognized the changing demands for government services and the need to review government responsibility for providing and funding those services.

Following the Second World War, the role of governments continued to expand as urbanization increased in Canada. As well as the movement of citizens from rural to urban areas there was a general growth in the population, transportation and mobility, development of suburban areas, and a growing need for infrastructure to support our complex urban society. Today Canadian municipalities have grown to large, thriving manufacturing and service centres. In Alberta our two largest cities alone, Calgary and Edmonton, account for 52 percent of the province's population. Similar trends are apparent across the country, where more than 75 percent of Canadians now reside in urban areas.

In 1987 local government expenditures rose to \$45 billion in this country. Recent additional divestment by both the federal and provincial governments has resulted in municipalities assuming responsibility for the delivery of new services in areas of housing, social services, and health care, as examples. To many citizens local government is the most immediate and most important level of government, the one which provides direct and necessary services as water, electricity, sanitation, police, fire, and educational services, to name a few.

To summarize, significant changes have occurred in the size and importance of municipalities since Confederation. Along with this growth in size has come a growth in the role of municipal government. The basic programs provided by the early settlements have increased to a broad range of complex and vital services. Despite these changes the formal designation of municipal institutions as creations of provincial governments has remained unchanged. This constitutional treatment of municipal institutions no longer reflects the reality of local government in Canada. Our growing and significant municipalities are vital and a permanent feature of our federal system of government that should be recognized in the Constitution.

#### 7:10

In addition to the growth of municipalities, we have seen an increasing interdependence between all levels of government. I'd like to briefly deal with the whole issue of division of powers. Programs and services have been adopted at the federal, provincial, and local levels to respond to growing needs and demands of our citizens. There is now a need to clarify the division of responsibilities between governments as well as to acknowledge the impact which policies of one level of government will have on another level of government.

Within the Canadian federal framework a number of issues are jointly handled by all three levels of government. As the environment has become an area of increasing concern for Canadians, all levels of government have become involved in these issues. The federal and provincial departments of the environment along with municipal governments are all actively involved in efforts to maintain and provide clean water for various needs, as an example. Similarly, economic development,

housing, and social policy initiatives have been established at the federal, provincial, and local levels.

While shared responsibility amongst governments will be appropriate in some instances, it is also important to point out that there is an overlap in services, and in many respects that overlap in services may be unnecessary. Often such overlap may appear confusing or unnecessary to citizens who require access to our services. For instance, a patient's first contact with our health care system may come through municipally supported paramedical assistance and emergency medical transportation, followed by treatment in a provincial acute care facility, with follow-up home care provided by nursing staff. The federal government is involved also in the health care delivery system through its efforts to establish standards for medical care and also in transfer payments.

I would suggest that the challenge facing our governments is to systematically examine the powers and responsibilities of each level of government and to clearly establish the roles for each level of government. By clarifying government roles, the complexity, overlap, and duplication can be minimized, and co-ordinated, co-operative efforts can be stressed. There is a need to examine, simplify, and clarify the relationships between federal, provincial, and municipal governments in Canada in order to ensure that programs are managed effectively.

Along with the need to clarify the respective roles of government, it is also important to acknowledge the impact which service or policy changes by one government will have on another level of government. I'd like to point out to you that just as the Alberta government is very concerned about federal decisions that impact on the provincial government, the provincial government makes decisions that impact on us at a municipal level. In both cases the federal and the provincial governments make decisions that impact on us at the municipal level. This cascading effect has a very real impact on our ability to plan our future effectively. While municipal responsibilities and expenditure requirements have increased rapidly, our revenue sources remain primarily limited to property taxation, user fees, and provincial grants. This dependence on provincial transfers which are beyond our control contributes to funding uncertainty and reduced flexibility in allocating expenditures.

I note in the report some examples of how the transfers have been reduced and how we see an indication that over the next five years grant programs totaling \$227 million will expire or be subject to renewal. There's a tremendous amount of uncertainty in our ability to provide for the future. Too often municipal governments are placed in a position of responding or reacting to another government's initiatives.

Again I say to you that we need to be at the table so we can effectively plan for our economic future in the same way that the province needs to have a stronger relationship and a degree of certainty in its relationship with the federal government. I think there's a growing need for governments to acknowledge, be aware of, and explore the impact that changes in one jurisdiction will have on other governments as well as the citizens that they're serving.

To summarize, constitutional review must address the distribution of powers in Canada. Constitutional discussions which have taken place in the past between the federal and provincial governments have often failed to specifically acknowledge the role of local government in Canada. The 1985 Macdonald commission recommended that federal and provincial government should increase the involvement and responsibility of local authorities. We would ask that that be considered at this point in time.

Very briefly, because I'm starting to run out of time, on aboriginal rights, we believe very strongly that that is an important area of discussion for the Alberta select special committee, and it's an issue that must be included. In a very real way municipalities, I believe, can help you in that discussion, and I think we have some common issues here. Certainly how we deal with aboriginal peoples and certainly how we deal with aboriginal peoples within our municipal jurisdictions, the needs of the urban native population, is something I think should be shared and something that should be brought into by all levels of government. We are in a situation right now where we are dealing with urban native problems in the absence of support at the federal level.

With respect to individual rights and responsibilities, very quickly, we want to emphasize that we believe that individual rights are extremely important, but they should not replace collective responsibilities. There is no division of community social responsibility to balance individual rights. I think it would be important to give consideration to the definition of social responsibilities and to solicit the opinion of Albertans on this very important issue.

Finally, in closing, we talk about the need of looking at the economic well-being of our country. We say very briefly that any discussions on constitutional reform should recognize the importance of economic issues. We believe they're very closely linked. I think we must work together to achieve constitutional reform in order to support the prosperity of our country. At the same time, resolution of economic concerns will support the unity of our nation. Neither issue can be dealt with at the exclusion of the other if we seek growth and prosperity in the 21st century.

I skimmed over that very briefly, Mr. Chairman. I wanted to leave some time for questions. Thank you so much for this opportunity.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, Your Worship.

John.

**MR. McINNIS:** Thank you. Mayor Duerr, you mentioned the environment as being an area of jurisdiction shared between all three levels of government. I kind of think that's a good thing as long as you are together on what you're trying to achieve. If not, it can be a nightmare if you end up of fighting with one another. I wonder how you feel about the idea of making the national government clearly responsible for setting environmental goals and standards so that from coast to coast clean water means the same thing in every province and you don't have a kind of, I suppose, willingness to compete on environmental standards or ambiguity in terms of what we're trying to achieve in that area.

**MR. DUERR:** I would agree wholeheartedly. In fact, we have been saying for quite some time in the city of Calgary that the federal government's role is clearly one of setting standards, so that there is a consistency in application, and providing for necessary enforcement procedures if those standards aren't met. Very clearly, I think the provincial role is to ensure that, again, there may be further refinement of those standards in certain areas and additional standards placed to respond to regional circumstances. I think in a very real way right now municipalities could well use additional legislative authority, at least enabling legislation, that would allow municipalities to explore, to maybe even go further than maybe a provincial jurisdiction

could appropriately do, given the fact that the provincial legislation has to respond to a broad range of circumstances.

**MR. McINNIS:** Thank you for that. Just one other aspect of that, I wonder if you'd support putting something in the Charter of Rights and Freedoms dealing with the right to a clean environment, so that if the standards aren't met, individual citizens might have access to the courts to enforce standards? It's not germane to your presentation, so . . .

**MR. DUERR:** I haven't given that a lot of thought, and I don't know what the ramifications of that would be. I certainly believe very strongly in a strong set of standards. I certainly believe very strongly in national standards. I'll give you just a very quick example. The city of Calgary in its sewerage bylaw has one of the toughest bylaws in Canada. We lost a number of major industries for the city of Calgary to other cities in other provinces because they did not have these municipal standards. So they made a decision that they would pollute their rivers, and they were allowed to do it. Basically, municipalities were buying an economic future and paying for it with their environmental integrity. That should not be allowed to happen.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you.

Yolande Gagnon. I think we'll have to keep our questions and our answers concise, or we're going to have fewer questions.

7:20

**MRS. GAGNON:** I like the idea of a charter of social responsibilities along with a Charter of Rights and Freedoms. I think that would provide a balance and also would be a model for our young people as they're growing up.

You talk about recognizing municipalities in the Constitution. Are you talking about a consultative mechanism or more than that? Would you like a more formalized process?

**MR. DUERR:** Well, we would certainly like to be consulted, and that doesn't mean, by the way, consulting with every single municipality in Canada. Through the Federation of Canadian Municipalities we have a vehicle where we can provide input into these very important discussions. I think ultimately we feel that need to be consulted. I think ultimately we believe a very real need to be reflected in our Constitution as a legitimate level of government, not an institutional creation of the province. As the mayor of the city of Calgary, representing 700,000 people, I am elected by more people than the Premiers of two provinces in this country, and I am not necessarily unique in this country. That isn't reflected, I think, in the constitutional recognition of the importance of local government.

**MR. ACTING DEPUTY CHAIRMAN:** Fred Bradley.

**MR. BRADLEY:** Thank you, Mr. Chairman. I was interested in following up on your first exchange, with Mr. McInnis, regarding environmental standards. Alberta does have some pretty high standards, and you've alluded to the standards which Calgary has in terms of sewage treatment. If we did adopt national standards – and there are national standards adopted by the Canadian Council of Ministers of the Environment and drinking water guidelines and other areas, so there are some national standards set through a co-operative process with the ministers of the environment. If you were to transfer this responsibility to the federal government, there's not necessarily a guarantee that the standards which would be set by the federal

government would be as high as the current standards in Alberta today. Would you be prepared to transfer that jurisdiction if in fact those resulting standards meant there would be lower standards than what we currently have in the province today?

MR. DUERR: Well, I certainly appreciate the concern, and I certainly have to acknowledge that I can be very proud of living in the province of Alberta, because our environmental standards and our responses have been better than most provinces in this country. I would see a system where we would have a strong set of federal guidelines with further enabling legislation that would allow the provinces to go beyond that, to enact tighter restrictions, or restrictions that I guess more appropriately responded to regional differences in this country. So, no, I would not want to divest ourselves of an ability to address problems effectively. That's why I said that even in provincial legislation I would like to have an opportunity, some enabling opportunity, to allow municipalities, if we felt it was appropriate to go beyond a provincial standard in a particular instance, to be able to do that.

MR. BRADLEY: I had another question related to the role of municipalities and how you see municipalities being represented at any constitutional discussions. Does every municipality have that right? How do you see this representation taking place?

MR. DUERR: In fact, the city of Calgary referred a motion from the city, which I asked council to put, to the Federation of Canadian Municipalities, asking the FCM to put in place a political mechanism that would allow us to participate in these discussions. I would see that occurring through the Federation of Canadian Municipalities.

To give you an idea how this can work, I'd like to point out that when the city of Calgary had the discussions with the federal government on the goods and services tax – it's a very complex issue that affected all municipalities – the city of Calgary was the only city in Canada that knew what it was paying before and that could analyze what it was paying after. It was our technical people, our finance people and corporate resources people, that provided all of the background work for all of the negotiations for all the municipalities in Canada, working with an FCM committee, for the GST negotiations for municipalities. We were effective in getting our municipalities rate reduced to 3 percent from the 7 percent. The examples of how this can work are in place right now, but it would be through the federation; it wouldn't be the city of Calgary running there. We might be involved if the federation asked us to be involved, but it would be an FCM committee and probably a few representatives that would be at that table.

MR. ACTING DEPUTY CHAIRMAN: Thank you.  
Bob, quickly.

MR. HAWKESWORTH: Thank you, Mr. Chairman, and I'd like to thank you, Mayor Duerr, for presenting your ideas from the city tonight. I'm just curious about the practicality of a constitutional amendment. What would it sort of look like, or how would it read? Would it say, "We recognize municipalities as a third order of government in Canada," and sort of leave it at that, or would it enumerate some powers? How do you see putting the words on paper? What might it look like?

MR. DUERR: I'm not a constitutional expert. First of all, I think I would voice the opinion of most of the mayors of cities in Canada that we would like to be acknowledged as a legitimate

level of government. I think that's important if we're going to start talking about establishing roles and responsibilities. We feel very strongly that there is possibly some waste, some inefficiencies. When you look at something like welfare, you have a federal government that delivers certain things – social welfare – provides transfer payments, and has a whole bureaucracy to do that to the province, which provides certain things and has a bureaucracy to transfer money to municipalities, who then provide various things and establish a bureaucracy to give money out to community groups to actually deliver the service. We're saying that there must be a more effective way of addressing these issues. Other than basic transfers of money, maybe most of that should be handled in larger cities at the municipal level, and certainly for smaller urban centres the province would have to play a role. What we have to do first of all, though, is look at all these things that all three levels of government provide for citizens, all these services we provide.

I'm not asking for more powers for the municipality, by the way. Quite frankly, if the province decided that they wanted to take total control of the social service delivery system, I would say, do it. What I am saying is, more effectively, let's sit down and look at who can best deliver whatever program it is. You would find that the federal government very clearly is the most effective delivery system in certain instances, the province in others, and municipalities in others.

The next issue, then, would be to look at the whole issue of financing and how revenues are taken. Given these responsibilities and relative merits, how should those revenues be provided? At the municipal level we rely primarily on transfers and property taxes. Property taxing is probably the most regressive form of taxation, yet what happens is that we see an increasing take – and I appreciate the provincial problems; you know, the province is trying to come to grips with its budgetary problems – at the municipal level with a very regressive form of taxation. So because of reductions in provincial transfers in education, it has to be pulled out at the municipal level. Because of reduced grants and programs in other areas, we are taking more out at the municipal level. Add on top of that taxes like gasoline taxes, and we're in a situation where we get sort of a double whammy, where we get a reduction in one area . . . For instance, we pay gasoline taxes to the province, which is like a double taxation for the taxpayers because they pay their property taxes with net after-tax dollars, and then we in turn pay taxes for gasoline. Most of our gasoline is used by either police or transit, our basic essential public services, which someone has to provide.

Rather than complaining about these things all the time, I would really like to see a process whereby we could sit down at the table. It would be a complex process, and it's not going to happen overnight, but I think it could be very, very productive. I think it would be very forward looking. It would be saying that, you know, there are some significant changes in how things are happening and what public expectations are. That's not going to change. My biggest fear is that we're going to put a band-aid on a postindustrial revolution Constitution. We're going to put a band-aid on that, which in no way reflects the realities of the 1990s or the 21st century, what's happening internationally. That's my fear, and that's why I think we don't have all the answers. I don't have all the answers. But if we could at least be at that table, I think we could provide useful input.

MR. HAWKESWORTH: Could I ask one more, if I may, Mr. Chairman?

MR. DUERR: And I'll try and keep my answers really short.

MR. ACTING DEPUTY CHAIRMAN: In fairness to the other people that are here, we're going to have to have another forum. I might mention that although this particular week has been planned at 15-minute intervals, there's obviously topics and presentations that take longer than that. On June 6 we're meeting with the other panel to look at representations that have been made but also to look at the next step in our constitutional representations. I said "next step" because we're only taking this one step at a time, and this is not the end; we're sure of that. We may have to change formats. There are certain elements that will have to have a more in-depth discussion.

I hate to take the chairman's prerogative, I guess, of trying to keep us on the agenda as closely as we can possibly be. Sorry, Bob.

7:30

MR. DUERR: Mr. Chairman, thank you so much. Once again, I really appreciate what you're doing and the effort you're putting into this and look forward to ongoing involvement with your committee and any subsequent committees.

Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you very much. Our next presenter is Verna Crowther, please.

MS CROWTHER: Good evening. I'm pleased to meet everybody here. I am Verna Crowther. Mr. Chairman, committee members, ladies and gentlemen, I do appreciate the opportunity to be able to speak here tonight as a free citizen. I represent myself and myself alone. I need to say that I'm not a constitutional expert; I'm not a politician; I'm not an economist. But I am a very interested, concerned Canadian citizen, and I have taken a great deal of interest over the last several months, probing, investigating, reading, talking, leading discussion groups, doing as much as I possibly could as a private citizen to inform myself about the present issues and see what there might be that I could possibly contribute as a citizen. It is from that that I come here to you tonight.

Now, my statements here are based on several efforts to make those kinds of input. I have presented a brief to this joint commission. I have presented a brief to the committee in Ottawa. I have presented a brief to the Spicer commission. I also presented a second brief to the Spicer commission on the basis of a round table discussion group which I had chaired. So it is from those several texts that I am here condensing and extracting five pages of summarized material. Of course, I'm going to have a difficult time doing justice to any of it, and I will have a difficult time also getting through my material, so you probably will have to stop me. But I will do the best that I can.

Basically, what I'm trying to do here is look at some very practical - from a layman's point of view - suggestions, ideas, and proposals that concern the future of this nation, the future of Canada, the unity of this nation. Those are my concerns, and the points I make will be specifically designed to address them.

Number one is my personal belief is that the most important thing that we do need for the future of this nation is a very strong central government. I do believe that. I believe that you cannot administer a country this size without a strong central approach. I think we need to have a strong central government that includes policies standardizing things like education. I agree with the present government's current movement to nationalize

and standardize education. I believe, for instance, it would unify by facilitating the flow of students across our province. If we no longer had the barriers of varying standards, it would be much easier for students to move easily from province to province, thereby having exposure to the different regions in this great land. We need strong central government policies to enforce, reinforce, and encourage national unity through a renewed spirit in patriotism and nationalism. That's something I do feel very strongly about.

I want to comment also that I've been aware of the survey done by Sheldon Chumir here in the last couple of weeks. I want to commend him for doing that, though he's not here tonight. He was here last week, and I thought he would be here tonight. I think his findings support what I'm saying, that not everybody here is in support of Getty's current policy, which is towards decentralization, that the majority of Albertans are in fact supporting strong central government. I just thought I would underscore that for him as well.

Number two, I would like to see a return - and I think we need a return - to an emphasis on free enterprise and a movement away from the social welfare state that we are presently very busy developing. I think we are headed for doom if we continue in the direction we're presently in. Part of that is the catering to special interest groups. I believe that's something that needs to be terminated. We need to address the total picture more fully. We need to be looking at what's best for the greater good of the majority, the greater good of the whole nation, and looking less at trying to please and pacify special interest groups. I feel that we can't afford to do that. I feel that it's also divisive, as is regionalism. We need an end also to the public's ever escalating demands for more services, which in turn create ever escalating income taxes that none of us really want to pay.

Number three, we need a well-informed, participating, responsible body of citizens. That sounds like a very general kind of thing, I know, but it's actually in my mind a very complex issue. It means a lot of things. It means that we need a change in attitude for one thing. It all ties in. My theme of centrality here you will find ties in throughout the whole body of my talk in that citizens need to take a broader picture. We need to start facilitating mechanisms whereby citizens become more interested, become more participating, and thereby start seeing the broader picture so that we get away from this me, me, me, gimme, gimme, gimme stuff that we're always seeing. Everybody wants what's good for them. If we're going to foster national unity, we can't do it on that basis. We've got to have people looking at the broader picture. We've got to have people looking a long way down the road, at the long term, not just the immediate, right now: give me what I need, and we'll all be happy and we'll give you our votes. That is not the purpose of creating a strong nation. A strong nation is built on this kind of knowledge, this kind of information, this kind of dedication and participation, not on me, me, me, and give me, give me, give me.

That's part of what I mean by a well-informed, participating, responsible body of citizens. It would be people willing to take the responsibility to meet some of their own needs, not always expecting it to be funded through government grants, government programs. I'm looking at more public-sector initiative, people taking responsibility as well to inform themselves, to find out what the issues are, to find out who's doing what in whatever, and to know who to vote for when the election comes up. Don't just vote for a name because somebody down the block mentioned it. We need to look at: what can I do for myself?

How can I make a contribution? What's best for the country? I'll be coming back to this idea as well, so I won't elaborate any further.

Number four, government restructuring. Of course, a lot of different ideas have come out lately in terms of restructuring. One of the ones that I've heard and read about recently that appeals to me is the Swiss system of initiative, referendum, and recall. I'm sure you're all familiar with that. I just feel that this would be something that would alleviate a lot of the complaints. I was here last week, and I heard a lot of speakers spend a lot of their time simply politician bashing, complaining, bad-mouthing, and that kind of thing. I think that rather than doing that, what we need to realize is that we need to provide mechanisms. The things that people are complaining most about are politicians who are not accountable, politicians who are not doing what their constituents want them to do. If we had a referendum, if we had a recall provision by which any politician who does not seem to be meeting the constituents' needs and wants can immediately be recalled and they do not have to wait until the next election, I think that would be a fairly good check in terms of calling the elected representatives to greater accountability. It would certainly enhance their credibility. I think it would also do away with public apathy, which is another problem we have in Canada because people feel helpless, people feel like they can't do anything. If citizens know they can have recall, referendum, initiative, which gives the opportunity to initiate legislation by citizens, they will then feel a stronger role in terms of participating. I think the apathy would diminish if we could have some of these mechanisms in place. The other thing these mechanisms would achieve is more power for the electors and an end to representatives focusing on self-interest and simply the worry about re-election. Basically, what it would do is really engender representative government.

How am I for time?

7:40

MR. POCOCK: Five minutes.

MS CROWTHER: Constitutional reform: of course, all of this is probably part of that, but specifically I would like to address first of all the amending formula. As we all learned from Meech Lake, the amending formula is not very successful. It doesn't work very well. It functions mainly to construct barriers and to stop anything from happening. I would like to see the amending formula changed from requiring consent by all provinces to requiring consent first of all from a majority within each province and then the majority of all the provinces. The implementation of initiative, referendum, and recall I would also like to see become part of the revised Constitution.

Central government having control over deficits is another major area I would like to see addressed. I really feel this is something that could be done. With the deficit situation we're all facing right now, obviously we need some stronger controls in terms of this kind of thing not being allowed to go on, not being allowed to happen again. We need it to be spelled out in the Constitution that there be a minimal allowable deficit or no deficit at all, and we need the central government to have control of this, to have the power to enforce it at provincial levels and at municipal levels. I know that sounds like a joke right now. You're all going to say, "The federal government's budget isn't balanced, so how are they are going to supervise and enforce everyone else's?" Well, I know that; they're failing right now. But that's what needs to change for the future. When eventually this is corrected, hoping it will be, we would

prevent this from happening again by having these kinds of mechanisms in the Constitution so that henceforth, once the present situation is looked after, we would have a central government that would model that practice and enforce it. That would certainly be one way to hold in check these kinds of incidents that we have now.

I'd like to use the example of what's happening in Ontario right now with the Premier of Ontario, Bob Rae, being able to run up a deficit that's going to affect everybody here. It's going to affect the rest of the country. This is the biggest province in Canada. I don't think that should be allowed to happen. I think if you had strong central government control and you had in the Constitution that this is not going to be able to happen, another Premier would not be able to do this. That's something I would like to see checked.

We also need to provide opt-in, opt-out programs, which were discussed in the Alberta in a New Canada booklet that was put out by the commission. I think that's an excellent idea. There could be programs open to regions that would be controlled and administered by the federal government and opted into or out of by various provinces.

The other major thing I would like to see is the triple E Senate. I'm talking central here all the time, and I realize some of you are going to say, "Oh, yeah, but what about this region being overlooked?" Everybody is going to be jumping up and down about something they want. Well, I know that's going to happen, and I think that's where the triple E comes in: to be a check-back system and some degree of protection for the individual regions. I'm not saying they aren't going to have any needs that they have to look after.

Also, a major thing I'd like to see in the Constitution is a statement to the effect that no province vacating Confederation is going to receive any special privileges economically, politically, or socially. I will come back to this when I talk about the Quebec issue. Basically, my idea of this is that it would render it less feasible for any province to want to vacate Confederation. I think it would be good prevention in future.

Number six is economic changes, and number one under here is the removal of interprovincial trade barriers. I'm very much in favour. I'm very happy, absolutely delighted to see that finally somebody's talking about this, that the current government is looking at it. I hope they're going to do more than look at it. I hope they're going to do it. I think it's long overdue. That will go a long way towards providing unity in this country; oh, yes, it will. The whole concept of centrality and getting away from decentralization: the competition between provinces is divisive. I think when we remove major barriers like this, the provinces can start to work together more as a unified whole. Let's compete together against the rest of the world, not against each other. That is how we're going to achieve strength, and that is how we're going to achieve unity.

Okay; revision of the tax system is another biggie. It sounds like I've got all kinds of crazy ideas here, I'm sure: putting restrictions on all kinds of things like deficits, and now the tax system. But yes, I don't see why there can't be a ceiling on the amount of per annum allowable increase, and if there is to be an increase above that per annum allowable increase, there is then a referendum so that citizens have to approve that increase. I think this would create a stronger Canada. This would create confidence in the system and trust in our government.

Balanced budgets. Well, back to the same idea before: required at all levels, simply one of the economic changes. In number four, though, I would also like to see a stipulation that the GST will not be increased and that when the government

pays the deficit down with the GST that they have imposed upon us, hoping they will, it will then be deleted, since that was what it was designed to do, and we can then get rid of it. This needs to be somewhere in the Constitution as well.

On official bilingualism, I would like to say that we need to delete bilingualism as an official national policy. Though certainly we do not delete bilingualism as something to be encouraged and upheld in our education system, as an official requirement on all the provinces it would be lifted. That could be left up to the individual provinces, because certainly there are provinces for whom bilingualism makes sense, such as New Brunswick. There are other provinces for whom bilingualism is just meaningless. It's costly and time consuming, and I think it's time to remove that.

Regarding Quebec, going back to what I stated previously, it should be in the Constitution that no province that departs is going to receive special consideration. I think this is what we need to take a clear stand on with Quebec. We need to simply make it more difficult for them to leave. I think once we do that, make it more difficult for them to leave and they know they're not going to have all their goodies and be on their own, they will choose to stay. I think also that we do need to give recognition to Quebec as a distinct society culturally, in terms of language. There's no reason we can't do that. But economically and politically, no special status there.

We cannot allow the things they are asking for most in the Bélanger-Campeau and Allaire reports, in which they are requesting jurisdiction over practically everything in 22 areas, I understand, from immigration on to whatever. This would create a state within a state. Now, if Quebec becomes a state within a state, what about the other nine provinces? Are they going to want the same powers? Are we all going to be little states within a state? Well, that's very divisive. I don't see any glue in that. I don't understand what would hold us all together. I don't think we can risk that happening, and that is why I say we cannot give in to Quebec on that one. It's not because I'm anti-Quebec; I'm pro-Canada. I think giving in to that would disintegrate the whole country. It would eventually disintegrate. You can't have states within states and have a team spirit. What we need is a team spirit here. We need to function together, not separately.

7:50

MR. ACTING DEPUTY CHAIRMAN: Verna, I'm sorry. I was listening so intently that I didn't realize the second bell rang. So you've . . .

MS CROWTHER: So I've had it, eh?

MR. ACTING DEPUTY CHAIRMAN: Yes, regretfully.

MS CROWTHER: Okay.

MR. ACTING DEPUTY CHAIRMAN: Are there any quick questions? I'll take two quick questions. Bob and Jack.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Thank you for your comprehensive presentation this evening. I just want to ask you about this question of outlawing debt or outlawing deficit budgets. We had an experience here in Alberta in 1986, as you know, when the price of oil dropped down to about \$10 or \$11 per barrel. That year the Treasurer, Dick Johnston . . . Well, I don't know whether he was forced to. Anyway, the result was a budget deficit of \$4 billion that year,

which was 30 to 40 percent of our provincial budget. I know the objective you want to achieve, but would you acknowledge that from time to time governments face situations where deficits are unavoidable? Would you acknowledge that in some situations, some circumstances, deficits are incurred for legitimate reasons and basically are unavoidable?

MS CROWTHER: Yes. I think that's why I put in there a minimum allowable deficit. Ideally I would like to see no deficit. Realizing that that's probably very unrealistic, I said some minimal allowable amount. Now, as I said, I'm not a financial expert, I'm not an economist, so I would leave it to the experts to define a reasonable minimal allowable amount. Hopefully, minimal is possible.

MR. ADY: My question has to do with the referendum process you outlined. You indicated that you feel a simple majority on a referendum probably would be the way to go. I have to pose a question to you. Supposing there was a referendum called on removing the natural resource rights from each of the provinces, which would mean Alberta could lose theirs because central Canada decided they would like to have the revenue from our natural resources. Sixty-five percent of our population resides in Ontario and Quebec, and naturally I would assume that referendum would carry. Don't you see some danger in having a national referendum and giving that weight to central Canada? I think the regions would suffer dramatically under that process.

MS CROWTHER: Well, again, perhaps as one would do with the amendment, you'd have to have the majority in each province as well as the majority across the board. I think that would resolve that.

MR. ADY: But again, if you have a majority in each province and a majority across Canada, you still have the same thing, a majority of Canadians.

MS CROWTHER: Yes, but the individual regions have to have a majority as well.

MR. ADY: So essentially that's a veto.

MS CROWTHER: Yes, if there isn't a majority amongst regions, I suppose it would be.

MR. ADY: So if Alberta did not get a majority, then it wouldn't carry.

MS CROWTHER: Well, I don't know how you would define the parameters, whether it's one region or more than one region, but I think you could implement something whereby there is a check-back system for that. Whether it would be one region or a bloc of regions, whether it would be the west to the east or whatever, I think there would have to be something specifically defined in terms of alleviating that problem.

MR. ACTING DEPUTY CHAIRMAN: Thank you very much, Verna.

I might mention that anybody who is presenting or isn't able to tonight but has a brief, please give it our secretary. It will be shared with our other panel members as well as these panel members and read and gone through. So don't feel bad that you weren't able to speak to all of it. As I said, there will be a second step, and perhaps you'll be back.

Thank you very much for a very informative and comprehensive brief.

MS CROWTHER: Thank you.

MR. ACTING DEPUTY CHAIRMAN: Sandra Sabey.

MS SABEY: Good evening. Thank you for the opportunity of allowing me to appear before this board. My name is Sandra Sabey. I am the Alberta field worker for the Canadian Federation of Students, a national organization which represents over 420,000 postsecondary students from Victoria to St. John's, Newfoundland.

I was very happy to be asked to appear before this committee to present my concerns and tell you what my vision is for the province of Alberta in the years ahead. Obviously, my greatest concern is for the future of postsecondary education, and I must admit that I do not like the direction we are heading in right now. While the current government may proclaim that it is committed to postsecondary education, I can't disagree strongly enough that this does not appear to be the case.

This coming year students are going to be asked to pay more for their education, and the bottom line is that they will be getting less. Tuition fees are going to be increased at every institution across this province, and the quality of education students will receive is going to decrease. Students are going to go into debt to finance their education, and the remission for loans has all but disappeared. Capital grants again were not on a par with inflation, and postsecondary institutes have now been forced to cut programs, lay off staff, and reduce the hours of service. Again, classrooms are going to be overcrowded and exams in some courses will be marked by computers, but at least those students will be lucky because they will have been some of the few accepted into postsecondary institutions. When all the final figures are in, I think it will be interesting to see if we can top last year's record for the number of students turned away from postsecondary education institutions.

With these kinds of problems, it's hard to see how this government can claim to have education as one of its top priorities. Yes, education does cost a lot of money, but ignorance will cost us more in the long run. I know you all think this person sitting here doesn't understand that we are running a deficit just like the federal government is and we have to get this under control by cutting back. I would agree with that statement except that it seems we have money to hand out in the way of guaranteed loans and other grants. I wouldn't be able to state the exact amount of those loans, but I'm sure it is quite large.

While these loans and grants may help to diversify and strengthen our economy, we can advance only as far as our education will allow us. In a world of rapidly advancing technology, we are falling behind the eight ball. We still rely far too heavily on our natural resources to keep this province afloat. While we may like to believe that they will never run out, the truth of the matter is that they will. Though perhaps not in our lifetime, they are going to run out. This government has got to start planning with a long-term vision because we owe something to those who will remain in this world once we move on. This government has got to be willing to recognize that it's time to seriously question whether we as a province and a country are preparing ourselves to compete on a global basis. It's time to look beyond our nonrenewable resources and look at a way we can invest in the one and only real renewable resource this country has, our people. How far we go in the future will

depend on how we train and educate those people to meet the demands of years to come.

This report, which was just released by the federal government, is called *Employment in the Service Economy*. This is an in-depth study of where we are going as a country, where we are going as a world in the 21st century. Their recommendations at the conclusion of this report read:

The development of human resources contributes to competitiveness and employment growth, and it plays a significant part, as well, in achieving distributional objectives. While this has always been the case, a number of trends – including technological change, the information revolution, and intensifying global competition – are combining to make human-resource development more critical than ever before.

While every country must invest in all factors of production, including capital and technology, the achievement of a high return on these investments will require people with the skills and knowledge to exploit their potential. Increasingly, then, the performance of national economies is closely linked to the human factor. To put it simply, Canadians should not expect to improve or even maintain their standard of living unless as a nation they attach a high priority to the quality of the work force. Thus, effective education and training policies will be absolutely fundamental to Canada in the coming decades.

Human-resource development must be a major priority for policymakers. Accordingly, industry, labour, educators, and governments must aggressively pursue a human-resource strategy that will emphasize, on the one hand, a broadly based education system and, on the other, an active, industry-based training system, with the primary focus to be on development of specific vocational skills.

This entire report is a strong message to me that postsecondary education has never been more of a priority, yet it will probably be shelved like a million other studies. We will all keep hoping a better time comes along when we'll be able to afford to consider some of the recommendations contained in it, but we at the Canadian Federation of Students feel we can't afford not to be looking at them now.

8:00

This country needs a national education plan, and if you are looking at a way to fund something of this nature, we can begin by raising corporate taxes. As it stands, Canada has one of the lowest corporate tax rates of any industrialized country. Japan is a primary example of a country with higher corporate taxes that still manages to remain competitive, along with Germany. We could also look at the 118,162 profitable corporations who did not pay income tax, although their profits totaled \$25 million, excluding dividends, and that figure is from Stats Canada, 1987. A national education plan would be of far more effective use because students could transport their credits between provinces without having to repeat courses. If we are serious about wanting to save money in education, this would be a good place to consider starting. A national education plan would ensure that this entire country is ready to meet the 21st century head on, and every province will prosper as a result. Obviously, Alberta will benefit from this situation in many different aspects.

Let's stop marketing our natural resources as though there were no tomorrow, and market our people and their skills to every country in this world. Alberta has an incredible opportunity to be the leader of this crusade and to set the course for this entire country. If this government wants to make a mark for itself, why not champion the cause of postsecondary education? I guarantee this government will be remembered for many

years to come as the one who helped to get this country back on track.

Time is running out, though, and if this government is willing to take the initiative, it has to be done soon. Let's bring students, administrators, staff, and government together at the table in a true consultative process and set the wheels in motion. Let's formulate a realistic plan for postsecondary education so we can guarantee that we as Albertans and as Canadians are ready for the 21st century and beyond. Let's do it now, and let's do it right. Tomorrow may be too late.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you for your presentation. Just one factual thing. We don't get partisan politics within our panel. That isn't the purpose of all of us sitting as a select committee. But for Alberta as a province, although it is endowed with great natural resources, only 25 percent of our revenue comes from natural resources, whereas in 1985 it was 50 percent. So we aren't dependent, even with an expanded budget, on natural resources as we have been in the past. Just a factual point.

Yolande.

**MRS. GAGNON:** Thank you. In the area of a national education plan and what I call free trade in education – that means portability of certificates and degrees and so on – do you feel that what is now a shared responsibility in postsecondary education should become exclusively a federal responsibility? Do you think that would enhance this possibility of portability and so on?

**MS SABEY:** I definitely think that would enhance the portability of credits between one province and another. I think that within this country already the education ministers get together as a group to talk about education. I'm not saying that we eliminate the position of Minister of Advanced Education. I'm just saying that when all of them get together at the table, I think we should first be looking at a national education plan as the number one priority. I think it would be a lot more effective and efficient use of the money than we do have at this point in time for education.

**MR. ACTING DEPUTY CHAIRMAN:** Gary Severtson.

**MR. SEVERTSON:** Yes. Sandra, you alluded to the cost of education, but the government pays roughly 85 percent of a student's education now. What level do you feel is a proper level of funding?

**MS SABEY:** I don't think we can talk about a proper level of funding at this point in time just because of the fact that we're facing a deficit, which makes it very hard to start with some kind of base figure. I think the biggest thing that I'm concerned about is that I don't believe that corporations are paying their fair share of taxes into the system, and they are the people who will have the opportunity to benefit most out of this system by our education. The sad thing is, too, that corporations who decide that they will train people on the job are not training those people with minimal skills; they are taking those people who came there with a four-year postsecondary education degree and are training those people. So 75 percent of that corporation's money is investment in people who already have the necessary skills.

**MR. SEVERTSON:** Are you saying, then, that somewhere in the Constitution . . . How does the taxation of corporations fit in with the Constitution?

**MS SABEY:** How does it fit in with the Constitution? What I mean by the corporate taxation is that right now what we're doing as an education system is looking to the private sector to help fund some of the education system. At this point in time, if they're funding the education system through a direct donation to a postsecondary institution, the concern of the Canadian Federation of Students is that it also will help to narrow the scope of education. If we had corporations being taxed at a higher rate – and some of those profitable corporations aren't paying any taxes – and it were just put into an education fund, which would then be decided by the government, then we would have a far more equitable education system and would be able to help. I'm not saying totally eliminate the cost of education, but we have to decide how far we want to go up the scale. If we make education only for the privileged, only the privileged will have an education. I don't think those privileged few are going to be able to support a whole country that is living without an education and therefore living on a very minimal type of wage and a very minimal type of existence.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, then, Sandra. If you have your brief and wish to leave it, or if it isn't in final form, at any time just present one to Garry and we'll share it around. Thank you very much.

Our next presenter is Cliff Joynt.

**MR. JOYNT:** Well, Mr. Chairman, since the committee already has the brief, I'd just like to update it here with a few things.

**MR. ACTING DEPUTY CHAIRMAN:** Certainly.

**MR. JOYNT:** First of all the history of the brief. Why is it here? How did it get here? Why am I in possession of all this wisdom?

I'm reading here from a letter to my MP, Harvie Andre, on March 27, '91.

Dear Mr. Minister:

You know that for the purpose of national origin, ethnic origin, race – whatever one wants to call it – I define the word "Canadian" to be "a person born in Canada who uses the English language in the home". You also know that it is not my first definition; it went through a number of revisions. You also know that my fight to have the word "Canadian" legally defined and placed in the "ethnic origin" section of the census really began here, in Calgary, when, in response to a request from the Canadian Human Rights Commission, I, on April 18, 1983, in the Delta Bow Valley Inn, read to the Commission, a brief outlining the need for a legal description of the word "Canadian" and its inclusion in the ethnic origin question in the census.

You also know that, after I read the brief, I made two brief oral representations; in one of them I pointed out to the Commission that that day was my first grandson's first birthday. You also know that I then asked the Commission to produce the evidence it had that proved my grandson to be "Irish." You also know the Chief Commissioner, Gordon Fairweather, then said;

"We will now hear from the Gay Father's of Calgary."

I could comment on that remark, but I won't.

&10

You also know that, once . . . Fairweather was out of the way, I re-opened the case with the new CC, Maxwell Yalden. You also know that the CHRC, once a hearing has been held, is

required, by law, to give a written response to the petition of the applicant. You also know that Yalden refused to do this. You also know that I applied to the Federal Court to have the Court issue a writ that would compel Yalden to do what he is required, by law, to do. You also know that, during the hearing, Yalden's counsel falsified testimony and that the judge, Muldoon F.C., threatened to hold me in contempt of his Court and put me in prison because I am a Canadian.

It happened.

You also know that I appeared before Alberta's Committee on Tolerance and Understanding; submitted a brief to the former Senate Committee on the Constitution (I was arguing the case before the CHRC), have written letters to the Governor-General, the Prime Minister, Cabinet Ministers, MPs, the Premier, his Cabinet Ministers, my own MLA, media and so on; have made submissions to the Spicer Forum and the present Committee on Constitutional reform.

All of this energy and effort has been expended to achieve one goal; to have the word "Canadian" legally defined and placed in the "ethnic origin" section of the census . . .

This is underlined now:

. . . because that is the only way in which the systematic discrimination being practiced by governments against Canadians can be ended.

For over eight years I've been trying to force the authorities to bring this business of language and race out of the closet, lay it on the table, and debate it in a sensible manner. All I've ever met with is silence, but the longer the silence goes on, the longer the assimilated white Canadians like me are excluded from participation in society.

In the book on South Africa called *Move Your Shadow*, the author wrote about their race classification board: "This spirit of grotesque self-parody is a sadistic farce." Here's what the reviewer wrote:

Perhaps the greatest insult to human intelligence is the race classification board, an agency that can determine one's race regardless of birth.

June 4 is census day. Anybody that was born in Canada that doesn't put the word "Canadian" at the ethnic origin section is engaged in a grotesque self-parody, a sadistic farce, an insult to intelligence, because you're determining your race without reference to your birth.

Now, in 1971 the aborigines were 321,765 in population. There's now been a House of Commons committee struck; it's aborigine members. They now put the average population at 3.6 percent. That is 936,000. In 20 years this population grew by 614,235. It's impossible. No race in history ever had that high a birth rate. The population is expanding because they keep changing the definition of who's an aborigine. The Indian association of Canada defines an Indian as a person with Indian blood. Well, I just happen to have an ancestor that has some Indian blood, and I resent the guy that does that. So I want that practice stopped. I want it stopped. You know how I define the aborigine people; it's in my brief.

Now, in his column on May 25 in the *Globe and Mail* Thorsell argues that when this Queen leaves office, we should abolish the monarchy. We should have a home-born head of state. Now, here's what he writes about this head of state:

But a Canadian monarch would be difficult to invent because the monarch must be somewhat representative of the population. Pierre Elliott Trudeau would have been a reasonable choice, born of a Francophone father and an Anglophone mother in Quebec, himself married to an Anglophone from British Columbia, with two children born on Christmas Day. But unlike Peter Lougheed, Pierre Trudeau lacks aborigine blood, and what about the heritage of our other visible minorities?

Now this is what Thorsell was saying: we're going to get a new head of state, but it has to be representative of the population. StatsCan identifies over 100 language groups in Canada; that means over 100 races. So what Thorsell was saying is that this new head of state is going to have to have some of all of these 100 bloods in him or her and presumably be fluent in the 100 languages. Well, I can give you a written guarantee that there's nobody like that in Canada anywhere. What is really ominous about the thing is predetermining the occupant of the office by blood. That's Nazi Germany all over again.

I think that's about all I wanted to bring the committee up to date on, because you have the brief and you know what's in it. If there are any questions, I'll answer them. If not, well . . .

MR. ACTING DEPUTY CHAIRMAN: Thank you very much.

MR. JOYNT: Well, then I assume no questions means acquiescence, and all my recommendations will appear in your final report.

MR. ACTING DEPUTY CHAIRMAN: I haven't any idea. We'll deliberate on all the presentations that have been made. You've given us a copy of your update, have you?

MR. JOYNT: Well, you're supposed to have it. You don't have it?

MR. ACTING DEPUTY CHAIRMAN: The secretary has it, yes.

MR. JOYNT: Oh, well; here I'd thought you'd read it.

MR. ACTING DEPUTY CHAIRMAN: Thank you very much.

MR. JOYNT: Okay. Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you.

Our next presenter is Chima Nkemdirin. I'm not sure if I slayed that name or not. He's accompanied by Suzanne Hathaway. Welcome.

MR. NKEMDIRIN: Thank you very much. We are representing the University of Calgary Liberal Association, and we've chosen to split our presentation into roughly five minutes each. Suzanne will begin.

MISS HATHAWAY: If one thing has become apparent over the past year, it's the fact that change is imminent in Canada's future. While we have been tinkering with Canadian federalism for over the past 124 years, the time has come for a major overhaul. Before constitutional change can occur, there must be a desire on behalf of the people and a commitment on behalf of the politicians to make these changes work to the benefit of all.

After listening to the testimony of concerned university students, it seems that the biggest problem we are confronted with is defining what we are and what we want to be as a country. For too long we've been defining Canada for what it is not. This must change. We are a rich and diverse nation, which we must be proud of. It's time to start putting Canada first. It has been said that Canada is an experiment in multiculturalism, coexistence, and tolerance. We have no role model to look to for guidance. We are pioneers traveling through an uncharted frontier, and if we succeed, we will become a model to which others aspire. We should be proud of our diversity.

For years we have been surrounded by the rhetoric of "unity and diversity," but it's time to start believing in this. It's time to start taking advantage of the different perspectives and new ideas that the multitude of minorities who have chosen Canada as their home have brought with them. Innovation not only adds to our cultural richness but is important for economic growth. In a time when technology is constantly changing and competition in the world market is increasingly intense, different perspectives and approaches can only be advantageous.

8:20

There's also the importance of stability of the Canadian state in the economic sphere. Canada and her provinces are very vulnerable to world speculation. One stable nation evokes much more confidence in foreign investors than 10 unstable provinces tearing a country apart. It is also time for the provinces, the federal government, and the people to start working together like a family. The continuous bickering amongst politicians must stop before any problems, constitutional or otherwise, can be resolved. Co-operation rather than confrontation between the provinces themselves and between the provinces and the federal government is desirable and most essential. Unfortunately, during the Meech Lake negotiations the provinces acted like greedy children, thinking only of themselves, not the welfare of the whole country, always willing to take from the country whatever they could get but not really willing to put anything back into it to make Canada stronger. If this trend continues, Canada will be nothing but an empty shell. We're not prepared to stand by and watch this happen. Have provinces such as Ontario and Alberta have a responsibility to the Canadian family to take a leading role, putting more back into Canada, and helping the have-not provinces without complaining that they're getting used or taken advantage of.

We also recognize that regional interests are different and must not be ignored. Hence, it is imperative that federal institutions be more reflective of and responsive to the diverse nature of the Canadian people and the provinces. We need a government that understands that a project that might be successful in Ontario may not work in Newfoundland. One way this may be achieved is to change federal institutions such as the Senate so that the central government is more in touch with the regions and their concerns. Again, it's time to be Canadian first.

**MR. NKEMDIRIN:** In our report we outlined nine recommendations that we felt would improve our current system of government. I'm not going to go over those recommendations one by one since the committee, hopefully, has already read our report. I'll try to explain why we felt the recommendations that were made were good ones. I'll begin by addressing the centralization/decentralization question. Then I will address the ongoing dispute over the jurisdiction of powers between the two levels of government. Finally, I will address the special concerns of Quebecers and native people.

It's become quite clear that the current provincial government is a strong advocate of a decentralized federal government. As might be expected, we as Liberals strongly disagree with this approach. Let's look at what's happened in history. Our neighbours to the south realized quite quickly that a loose confederation of states wasn't going to work. The Germans came up with the same conclusion over years of fighting. It looks like the Yugoslavian confederation might end in a civil war. Decentralization would result in a country more divided than it already is. Standards in education and the environment,

issues which Canadians put a high priority on, differ from province to province. How is it possible that in this country there are more barriers to trade between provinces than there are with the United States? In a world that's forming larger and larger trading blocs, it does not make sense to create 10 little kingdoms. We put it to you that we need a central government to set national standards in those areas where there is a national concern, but we do agree that the current structure of the central government needs an overhaul. Instead of farming out powers from the centre to the provinces, why not decentralize the decision-making process at the centre?

We believe that Senate reform is an ideal solution to these problems. Now, we don't see Senate reform as a panacea to all those problems, but it is a step in the right direction. Decisions made by the government would be forced to take into account the concerns of the regions. We believe that Canadians are sick and tired of the squabbling over jurisdictional authority between the two levels of government. Often these disputes do not involve logic but mere attempts to grab power. We believe we have designed a relatively simple way to solve these battles. We suggest a referendum when a level of government wants powers occupied by another level of government. If the provinces have a compelling reason why they should control, let's say, the environment, let's put it to the people. If the federal government has a compelling reason why they should control education, let's put it to the people. After all, this is supposed to be a democracy.

I guess the most pressing problem is that of possible Quebec independence. We at the University of Calgary Liberal Association have advocated what would be clearly unacceptable to the government of Quebec, but let's remember, however, that the decision rests with the Quebec people, not with their government. Let's look at what the Quebec people need as opposed to what their government wants. Quebec is a unique part of North American culture. They have thrived while other French settlements in North America have not. Only in Canada could this happen. I say to you that the Quebec people have a legitimate right to demand and receive more control in the areas that affect language, culture, and the civil law system. Please note that I said the Quebec people, not necessarily their government. Our proposal would give Quebec Senators a significant say in those matters that affect culture, language, and the civil law system. Those Senators would be making those decisions in the national institution.

Finally, I'd like to address the situation facing Canada's aboriginal people. As far as our club is concerned, the first Canadians have been shafted, and all of us who came here later on bear an enormous responsibility for their problems. We'd recommend that the Indian Act be replaced. Now, the provincial Legislatures have no control over that, but it would be nice if they advocated that. The Act has a paternalistic attitude and is the cause of a lot of the problems. Mainstream society has taken the attitude "We know best." Instead, let's help the aboriginal people by helping them help themselves. Both levels of government must be prepared to give the aboriginal Canadians what is rightly theirs. This is one instance where cost should not be a decisive factor. We have heard often from our politicians that the native community is divided among themselves and nothing can be done until they're united. This, as far as we're concerned, is an unacceptable excuse. Governments must start talking to the individuals in these communities and find out what they want and then take action to resolve these problems.

In closing, I would just like to comment on Mr. Getty's assertion that he's an Albertan first. As far as we're concerned, we're Canadians first.

I'm not sure how many young people you've had here presenting their ideas to you, but we thank you for the opportunity to do so.

MR. ACTING DEPUTY CHAIRMAN: Thank you very much, John.

MR. McINNIS: Chima and Suzanne, thank you for your presentation. I was intrigued by the suggestion about using a referendum to decide when jurisdiction would be traded between the national government and the provinces. The example you gave was about the provinces taking authority over the environment from the federal government. There is in Alberta a certain amount of paranoia about the jurisdiction over our energy resources being taken away, and it's one of the reasons that in the 1980 round of constitutional changes a new section was put in saying you can't ever take away a province's resources without their consent. Do you support that provision, or do you see a referendum being used to remove provincial control over resource jurisdiction?

MR. NKEMDIRIN: As far as we're concerned, we support the right of the provinces to have control of their natural resources, but the environment is something that not only affects people of Alberta; it also affects the people of the other provinces. Take, for instance, the pulp mills and so forth. Now, if a river is, let's say, polluted in British Columbia and it flows into Alberta where people have to use it as drinking water, then there's a question of who should have the final say on whether or not that mill gets developed. The province of British Columbia might say, "Well, we need the jobs," and the province of Alberta might say, "Well, yeah, but our people have to drink the water."

MR. McINNIS: I agree with you on that, but my question was about the transfer of powers. You used the example of a power going from the federal government down to the provinces by way of referendum. Do you agree that it could go the other way, from the provinces to the federal government?

MR. NKEMDIRIN: Yes.

MR. McINNIS: That might apply to our resources as well?

MR. NKEMDIRIN: Yes.

MR. McINNIS: Okay. In the submission you didn't mention it, but there was also a suggestion about a reformed Senate, that you didn't want to see political party representation in the Senate.

MR. NKEMDIRIN: Yeah. We wanted to see that the representatives be representatives of the provinces.

MR. McINNIS: Chosen how?

MR. NKEMDIRIN: Chosen by election. I think we proposed that each province have eight Senators. I've forgotten.

&30

MR. McINNIS: The difficulty I see with that is that if you don't have political parties running campaigns, you have individuals

who have to raise enormous amounts of money to run a provincewide election. We don't have very much experience with it, but in the United States you can spend upwards of \$10 million to get a party nomination. If you don't have any parties, you go right into a campaign where you spend millions of dollars. How do ordinary people get to run in election campaigns without political parties to back them? If you're not independently wealthy, I don't see how you get big bucks like that.

MISS HATHAWAY: I don't think it's so much that we don't want to see the political parties involved. It's more a question of party Whips. We'd prefer to see the people more responsive to the people, as opposed to toeing the party line.

MR. McINNIS: That makes sense to me, but how do you get elected if you're not part of a political party?

MISS HATHAWAY: I don't think it's written down that we don't want you to be a member of a party. I mean, I personally don't have a problem if you want to run with a party. That makes sense to me. It's just the fact of loosening party Whips. Right now in the House of Commons it's too tight; you toe the party line or you're out. We just don't want to see that happen in the Senate, if it's elected.

MR. McINNIS: Do you have any ideas on how you're going to accomplish that? Once somebody's elected to the Senate, they're a member of the party.

MISS HATHAWAY: But what we're saying is you could loosen party Whips and maybe have recall or something along those lines.

MR. ACTING DEPUTY CHAIRMAN: Jack Ady.

MR. ADY: Thank you. Suzanne, in your comments you indicated that one of the things we need to be looking at is that the have provinces need to be doing more to support the have-not provinces. I presume, in view of the forum here tonight, you're advocating that should be in some way entrenched in the Constitution. I guess I have to ask you the question: pertaining to Alberta - because you did list Alberta and Ontario as two of the have provinces, Alberta having been a net contributor of some \$148 billion from 1962 to 1988 into Confederation more than they took out, a net contributor - are you advocating that Alberta is not doing enough and they should do more in the way of supplying more funds into Confederation? What were you really getting at there?

MISS HATHAWAY: I think what I was mainly getting at is the fact that, yes, we are doing this, but we're also saying: "You're taking advantage of us. You're using us. You're leaving us out of Confederation. You just want our money." It's the whole idea of a country being a family that I think I was trying to get across. I'm not saying that we haven't done our part. I'm saying that we've done it begrudgingly and maybe it's time to stop begrudging something. I think Alberta's been so successful because it has been in the context of Canada, and I don't think we should begrudge that.

MR. ACTING DEPUTY CHAIRMAN: Yolande.

MRS. GAGNON: Thank you. I have three questions on the idea of referenda. First of all, if a decision is reached by referendum, how long would that decision be in effect? Because sometimes trends come and go. I'll ask all three – I don't want to take up a lot of time – and then you can answer all three. So the term in which a decision would be in place: would you say that that's it for five years and that in five years we can review this particular issue through another referendum maybe?

Secondly, what if you had a national referendum but all the provinces had not voted in favour of the final decision? Would that override a provincial decision?

Thirdly, sometimes what is called the initiative to get a referendum going is brought about through a petition, and a certain number of citizens have to sign the petition. I've heard that the experience in California indicates that just getting the petition or the initiative in place can be more expensive than the actual referendum. How would you respond to those three issues?

MISS HATHAWAY: This was a really hotly debated topic. I think I'll let Chima handle it, because he was on the side that got it in there.

MR. NKEMDIRIN: Oh, thank you. First of all, we said that it would take 10 years for a referendum on the same issue to occur again, basically because of the costs involved. On the question of if a province votes no, we adopted the current formula that's used for the Constitution: over 50 percent of the entire population in seven out of the 10 provinces. And then your other question . . .

MRS. GAGNON: The cost of the initiative to get one going is sometimes just as costly as the actual election.

MR. NKEMDIRIN: We advocated that if the federal government wanted to call a referendum for a transfer of powers, they could do it. I guess they'd have to pass an Act of Parliament saying, "We want to do this."

MRS. GAGNON: So it wouldn't be up to citizens to do it through petitions.

MR. NKEMDIRIN: No, it wouldn't be up to citizens. The idea was that the government would have to go to the people and say, "This is why we want to do this," instead of arguing all the time amongst themselves that they can't do what they want to do. This way the people would have the say on who gets what.

MRS. GAGNON: Okay. Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Suzanne and Chima, for a well-thought-out presentation.

Our next presenter is David Mitchell. Welcome.

MR. MITCHELL: Thank you. I appreciate the opportunity to be here, and I must say, looking around at this hour of evening, how often we neglect to remember the time that elected people put in on our behalf, one of many nights I'm sure.

MR. ACTING DEPUTY CHAIRMAN: Thank you.

MR. MITCHELL: I appreciate the chance to make these brief remarks. My name is Dave Mitchell. They are remarks made only on my own behalf as an interested citizen, and they will

deal, with some restraint, only with constitutional matters, although hearing some of the presentations earlier, it's a great temptation to tear up the script and engage in dialogue, which might indeed be more interesting. But I'll stay with the script.

Basically, Canada is a great country. Yes, we've not done as well as we should have in some ways, but my fundamental belief is that most Canadians want to improve what we have, not tear this country apart. Canada needs change, not destruction. We have to determine what is needed and how to achieve it. Winners tend to be those who expect to win, and the national obsession of Canada of assuming that Canadian unity is a lost cause just has to be changed to a time of wanting to understand, to know more about each other. Canadians are winners when they make up their minds. That is not to say that we should be satisfied. Canada now certainly is not the same as Canada in 1867, and our Confederation that year is not the one that needs to stay in its form forever. But we do need to develop a vastly larger community of Canadians who know more about the unity problems we face and care much more about keeping our country together.

To those Canadians who would shake a political finger at Quebec and end the country with nothing more than a shrug, I ask this question: what Canada or Canadas do we want? One in which one large central province represents one-half of what is left and western Canada is a potpourri of fragmented, widely differing political philosophies, or a modification of what we have now? To those in Quebec who would say, "Farewell; we feel insulted about Meech Lake," I ask this: do you really believe Quebec's future economic progress, stability, and security would be as great alone as it would be as part of Canada, and is? How strange that this land with its life-style and accomplishments should be so casual about its potential demise as a leading country of the world. Literally millions of people would come here in a flash if they had a chance to move in. Others in the world, who view Canadian investments with increasing concern – and this is real – because of our internal debate are incredulous that we could consider committing ourselves to the path of national destruction. They foresee, probably with good insight, political instability, fewer jobs, international money market problems, decreased opportunity, and a lower standard of living: a country which could have a bright future if we deal with our problems and a country that could throw it all away.

You may have noticed in the paper recently that a Russian visitor hearing of our problems with unity and money said, "I wish that I had your problems." Well, we certainly have major problems to solve, and indeed one of the fundamentals grinding at us is the abysmal way this country's economy is performing. Economic difficulties did not develop overnight. It took many years of overspending – and, I must say, most of it before the present federal government came to power – and living beyond our means. Simply stated, we are paying the price now for having spent this year's wealth many years ago while wildly borrowing and spending on programs and policies we could not afford. Of course, it's taking quite a few years to pay the piper, but breaking Canada apart would only make the recovery much more painful and longer, and those that look to breakup as a solution to the country's economic problems I suggest are looking exactly in the opposite direction.

8-40

Along with fiscal mismanagement the country has had some unrealistic, aggravating, and sometimes quite unfair policies. Official forced national bilingualism is a notable example. The problem is not with the objective, which is worthy, but rather

with the horrendously impractical waste of talent and money to try and reach the objective the wrong way too quickly. It is time we came to our senses on this one, but separating into two or three Canadas is not necessary to bring about a more provincially-oriented language policy. Hopefully in another generation or two we could even become multilingual Canadians, with the advantages that would offer in our global relationships. Meantime, though, as we bring along the young people and these abilities, let the provinces utilize language jurisdiction and give Canadians with language abilities other than French equal opportunity within each province.

More power can and should be delegated to the provinces or shared between federal and provincial governments without complex overlap of responsibilities. Quebec wants changes; so do the other provinces. We're not likely to survive as a nation without change. Change should not mean, however, an emasculated central government limited to issuing postage stamps and carrying out military decisions, if we have any military left. A federal form of government requires federal powers. I believe that most Canadians understand and support the concept of Quebec retaining its cultural identity and language within Quebec. This unique province and its special identity add very much to our country. But beyond that, each of the other provinces would expect to be treated fairly, with equal opportunity for its people. One Canada, yes, but not at any price.

Senate reform, sovereignty association, and other terminology commonly used in this great debate all I believe need much clearer definitions and understanding. I sometimes think we have debates with different views in mind as to what's meant. Although I favour a Senate with more equal regional representation, I suggest the country should have only one lawmaking body: the Parliament. The rights and obligations of a second body, now called the Senate, should be limited to maximum time delay of proposed legislation, hopefully for sober second thought, and to rejection or veto of specific matters such as removal of provincial resource rights.

I favour provincial application of bilingualism. It is ridiculous to have a unilingually signed French Quebec and the rest of Canada trying to be bilingual. An elected Senate with representation approximately equal for Ontario, Quebec, the western provinces, and the Atlantic provinces. However, the Senate, as mentioned, should have narrowly defined powers of veto and strictly limited powers to delay passage of legislation. A Parliament where the party line need not be so rigorously followed or defeat of a nonmonetary government Bill need not be deemed as a vote of nonconfidence. Regional aspirations might then have more hope of being readily addressed in a parliamentary forum. And of course, as mentioned, all provinces having approximately the same rights and powers.

I must say I favour the ongoing dialogue now being fostered by the excellent leadership of the Rt. Hon. Joe Clark. We need more of this, much more. The year or whatever that's ahead will be fully occupied. We need people much better informed. We need them focusing attention on what we stand to lose and the nature of the nonemotional challenges. For example, the simple statement, federal/provincial division of powers – why, when a degree of understanding and development of those is needed?

I would like to say that I feel there is real danger in national referenda. I think there are hazards with that, and it should be only a very, very last resort. A constituent assembly: perhaps, if all else fails. But again we have to address who's in it and how does it work, and therefore I suggest it, too, comes near the very last of our hopes for a solution. I'd urge, Mr. Chairman,

more clear positive statements by political persons at all levels of government but especially those in senior positions in the provincial and federal governments. I think in the federal government particularly we need to hear from the cabinet, who should be speaking clearly, loudly, and often about this country, its challenges, and the opportunities to meld an even greater nation.

This, then, is a time more for reason than emotion, and I'm concerned that emotion can very well be the thing that seems to cause the decisions to be made. It's a time for Canadians to have leadership in creating and developing ways that will make the country work as a whole. Clearly there will be changes one way or the other. I pray they will be in the direction of improvement and not destruction.

I thank you.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, David. Fred Bradley, and then John.

**MR. BRADLEY:** Thank you, Mr. Mitchell, for your presentation. In it you alluded that you felt there should be more powers delegated to the provincial government, and you suggested that also in areas of shared jurisdiction they shouldn't have any complex overlap. Do you have any suggestions as to what areas you would like to see delegated to the provinces or areas where there's shared jurisdiction where we should eliminate complex overlap or duplication?

**MR. MITCHELL:** As a matter of fact, some of us are spending quite a few Saturdays and other times trying to be able to respond to that question with a much greater degree of knowledge. I think I would point out by way of an example, and not the most important one, that if you look in the area of environment, there is so much confusion as to who is in charge of what and how it works. Some would argue that's the fault of the courts, but I would note the courts have to follow the laws of the land too. We really have to work this out and can work it out, I believe, in the constitutional process.

The area of education is a very tricky and delicate one because we all know the split, particularly on postsecondary education, really is going to have to have a large federal component if we are going to use a large amount of federal money. These things, though, should be looked at from where they are now and led towards something that can be a big improvement.

There are some things that are, I believe, what the native population would call "sacred ground," and in that area we need to be very clear indeed that natural resources are provincial rights. We've had them stolen before indirectly, and to have them stolen even by components in the future would perhaps lead to yet another form of disintegration.

I hope my question is one that I could respond to much better as we get a few more months of work on it. Some of these things are so easy to wave a hand at, but they're very complex.

**MR. BRADLEY:** Just one supplementary in another area. You mentioned in terms of a reformed Senate that it should have "narrowly defined powers of veto." Could you elaborate on where you would give a Senate veto power?

**MR. MITCHELL:** Well, I certainly think that when a province is going to remove a right that is believed to be established – and again I must say the provincial resource rights. I think there cannot be anything done by Parliament that removes those, and

if we have equal representation in a Senate, that they would look very hard at anything that takes away from fundamental provincial rights and have right of overturning that parliamentary decision. It's one that requires a balance and a representation to achieve it well.

MR. ACTING DEPUTY CHAIRMAN: John McInnis.

MR. McINNIS: David, I notice and I'd like to congratulate you on your Order of Canada pin. You're a member of the Order of Canada, aren't you? Is that right?

8:50

MR. MITCHELL: Yes, I am.

MR. McINNIS: Congratulations. I understand your point about the overlapping jurisdictions, wanting to straighten all that out, but it seems to me that one of the basic questions we have to wrestle with is the overall direction or flow in our country. In my adult lifetime most of the time we've been trying to keep Quebec in Canada, and that usually involves more powers to Quebec. The other provinces insist, as I think you did, that all provinces have to be equal. So if there's to be a transfer of authority, it goes everywhere across the board. What I see over the last 20 years has been a very gradual decentralization of authority from the national government to the provinces. Where we are today – do you think that trend should continue, or would you like to see us think more about a strong central government in our country?

MR. MITCHELL: Oh, definitely a strong central government. I would call a halt, but I think we have to have the provinces basically equal when we call that halt. The present attempts by Quebec, as we've all heard and are aware of, simply could not be applied and have a country, I don't think.

MR. McINNIS: So all provinces equal, but you don't see more decentralization as the answer.

MR. MITCHELL: No. I see very little more decentralization. I think we need a strong central government; without it we don't have a country. I think our problem, in effect, is that we had it wafted away or a tendency to think of parting with it on the basis of a single province. It has to halt.

MR. McINNIS: Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you.  
Bob Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Thank you, Mr. Mitchell. I'm glad you stuck to your script. I've appreciated your comments this evening.

MR. MITCHELL: I'll lobby on taxes later.

MR. HAWKESWORTH: I agree with you; I think we often don't speak up about the successes of our country and we tend to be a bit more introspective about our problems than sometimes we ought to be. I'd just like to ask you to clarify, if you would for me, your comments about bilingualism. You felt that we needed more provincially aligned language policies, I think, if I understood you, and then later on made some comment about what we want or what's needed as provincial bilingualism.

I'm just wondering: should we let the provinces decide language policy and forget sort of national objectives – if Quebec decides French only, that's okay, and if Alberta decides English only, that's okay – or are you talking about something else, where both Alberta and Quebec should maybe be officially bilingual in respect of minority rights?

MR. MITCHELL: No, I'm very much the former. I think that unilingual Anglophones have been denied equal opportunity in the federal civil service. In fact, in discussions in confidence with some members of various segments of the federal government, I think that is very much the impression I've gained. It strikes me as odd, for example, that it's tremendously important that they speak French in Vancouver when Chinese might be more useful, to be practical. I don't think that we should be moving as fast. I again state that the objective is worthy, and I hope we get there.

Now, I would love to see us bilingual and multilingual. I use the term "multilingual" to get away from the term "bilingual," because immediately people think of French and English. I believe globally we need more languages. The present thrust is part, I think, of the emotion of the west, and this is what's on my mind. I used that expression several times. You know, in this province – you'll forgive my referring to another provincial party – for years no one ever voted Social Credit, but somehow they got in every time. Albertans go around and many people go around thinking a lot of things, and they don't say them aloud. To say anything against bilingualism is a nasty thing to do, but they think a lot about it, and I think that is being recognized by some of the political parties that are now out there on the federal scene.

So what I'd like to see is a reduction of the emotion and let it work its way through. I'd love to see everyone in Alberta bilingual and multilingual. Give us a generation or two, and let it move along, take the heat off. We've got to take the heat off some of the emotion so we can get to the practical matters. How in the blazes, as Mr. Bradley is saying, are we going to divide these powers? I mean, there are some mighty big challenges out there, and what I'm afraid of is that the emotion is there and someone will push the referendum button and we'll make a decision based on whether Quebec thinks it's been rejected at Meech Lake or Albertans or somebody thinks that bilingualism is a rotten deal in western Canada. So I'd like to back off on some of the emotion of bilingualism.

MR. HAWKESWORTH: I would too. To some extent it may be impossible, because during the Meech Lake ratification process the whole country shifted, at least in English Canada, when the Quebec government invoked Bill 178 for the notwithstanding to overrule the Supreme Court on the matter of English signs. So I guess the question I'm raising with you is the country ready for politicians to say to the provinces: "You have exclusive rights over language within your borders, and whatever the emotions might be, we'll just let you decide language policy within your province. If that's unilingual French, so be it; and if it's unilingual English, so be that?" I don't know. What do you think of just sort of leaving that totally in the hands of the provincial Legislatures?

MR. MITCHELL: Well, I'd offer some encouragement for multilingualism. I think the federal government can do that in educational programs and so on and make that part of the thrust. But I'd do it by the encouragement method rather than the discouragement of the nonbilingual citizen, and work that

way. I had a talk with someone the other day about this, and they said, "Well, what about Ukrainian in Alberta?" I said, "It might not be bad."

I think when we have the people of Canada viewing Quebec as unilingual and the rest of the country trying to be bilingual, it's not getting us there. The last poll I saw – if anyone can believe a poll; I'm not sure you can. I guess I'd better leave, or you guys are going to kick me away.

**MR. HAWKESWORTH:** No; I appreciate your coming.

**MR. MITCHELL:** In the last poll I saw, 62 percent of the people didn't believe in it in Quebec. They don't want it; they've not asked for it over there. Who are we doing this for? It's the federal government. The federal government had very worthy objectives, and I hope they get there, but would they back off? We've got a country in problems. If they want the westerners aggravated, that's one that'll grab their attention. It's there and it's grabbing below the surface.

**MR. ACTING DEPUTY CHAIRMAN:** One moment, David. Yolande says she just has a short one.

**MRS. GAGNON:** Yeah, just really quickly. I gather that your objection is more to the Official Languages Act, which deals with bilingualism in the civil service and so on, than it is with article 23 of the Charter, which guarantees Anglophones in Quebec English education and Francophones outside Quebec French education.

**MR. MITCHELL:** Personally, I don't have much argument with either one, but I think the way to get out of some of this anti-Quebec attitude in western Canada – and it is there – would be to look at the federal civil service aspect in particular.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, David. Always thoughtful.

**MR. MITCHELL:** Thank you. I appreciate the chance.

**MR. ACTING DEPUTY CHAIRMAN:** Our next presenter is Bert Brown: Mr. Triple E.

**MR. BROWN:** Mr. Chairman, I see I'm already over my time before I start, so if you wanted to have coffee, it would be all right with me. I think you're probably . . .

**MR. ACTING DEPUTY CHAIRMAN:** No, I think we'll do yours, Bert, and then we'll have a stretch. For the sake of the people who may want to make representations who don't have a brief or weren't on time, we'll just make a very quick stretch for those of us at the table, and then we'll get on to that. We won't have an official coffee break.

**MR. BROWN:** Thank you, Mr. Chairman, and thanks for the invitation to be here tonight. I did a very quick job of reducing the size of my presentation in light of the time factor. I'd be more than happy to provide a more detailed copy of it, but it may be a little choppy because I've tried to reduce it, as I say, because of the time factor. I think we provided your group with a brief letter introducing the principle of three equalities that we would like to see a new Canadian Confederation founded on.

These three principles for a renewed Confederation we believe should be the equality of all citizens regardless of their race,

creed, religion, or sex. We think this can take place in a reformed House of Commons designed to represent people, not partisan interests or privilege, not patronage by party connection.

The second equality that we think we need is the equality of all the partners in Confederation, regardless of their geographic size, their resources, their population, or the lack of any of these. This can take place in a reformed upper Chamber where all the Senators are elected in equal numbers from each province by the residents of those same provinces, such Senators to retain essentially the same powers that the current Senate enjoys, with the unusual majority for breaking any potential deadlocks that may occur as proposed in our Blueprint for Senate Reform published in January of '91.

9:00

The third equality is the equality of the Charter languages with no preferential or special legislative protection for either. We believe that neither religions nor language choices can be or should be legislated in a free society. Protection for the French language and culture can be given in a reformed Senate through the use of a double majority. This is also explained in our presentation, called a Blueprint for Senate Reform, January 1991. It wasn't until a meeting with Mr. Jacques Parizeau a week ago tomorrow in this city that we came to realize just how fundamentally the people of Quebec and Mr. Parizeau's party are opposed to the official bilingualism Act, and he explained that in detail.

Mr. Chairman, we believe Canada is truly a democracy, but to become a great democracy, it must be founded on principles of equality which bring Canadians together, not divide them. We think there are three basic steps to bring that about. The first is solving the question of aboriginal sovereignty for native people. We think that when we get into this, it may turn out to be more a question of municipal and provincial sovereignty than one of federal sovereignty. The second step is to establish the equality of the provinces in a triple E Senate. The Confederation simply will not hold unless all of the provinces feel that they have at least one Chamber into which, when they enter, they enter a level playing field and they all have an equal chance to fight for a majority opinion. The last step is the recognition of Quebec's fears over language and culture. We just do not believe that this can be instituted in the Constitution of Canada as proposed in the Meech Lake accord. Eighty-five percent of Canadians were opposed to Meech Lake in the final instance, when it finally died, and we think it's clear that Canadians will not accept legislative restriction of the free choice of language in their Constitution. However, there are other ways, and that's what we propose in a double majority in a reformed Senate.

All of these steps we believe can be instituted through an elected constituent assembly. We propose an elected constituent assembly for the simple reason that party discipline and the extreme exercise of unchallenged, unquestioned party discipline we believe has become one of the most destructive forces in Canadian society, and that's what brought us to the Meech Lake accord in the first place.

It is my personal opinion that there exist in Quebec four pyramids of power and influence. They are the political elite, the academic elite, the business elite, and the media elite. They have all decided collectively to lead a Quebec nation, not a Quebec province. They represent a very small percentage of Quebec society, but the emotional climate of the times in the post Meech Lake period may allow them to have their way. They propose to create a language enclave, to the detriment of Quebec and to the detriment of its youth. It is the next

generation of Quebec youth who will suffer the lost opportunities of not dealing on a global scale.

In terms of decentralization we feel it is useful where there is a duplication of services, where the central policies are not reactive to the individual needs and desires of provincial interests. Decentralization should not be carried to the point that it emasculates our country and leaves it without stature or influence on the world stage. At the same time as the provinces grab for more power, they should recognize that if they leave the federal government with no responsibilities save Canada Post, unless those provinces have a triple E Senate to protect their interests and give them an effective voice, the federal government will find a way to use 52 percent of all the money Canadians earn just to mail letters.

In conclusion, I think we are an incredibly privileged society in Canada. We are indulging in what amounts to our own unique version of the civil war. It's a war fought with words and ideas amidst incredible opulence and comfort. Only in this wonderful country can we enjoy such constitutional danger amid such creature comforts.

Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you.  
Yolande.

MRS. GAGNON: I don't want to hog the mike, but you've said a lot of things that I'm interested in and care a lot about. You worry about Quebec becoming a language enclave and, you know, the fact that young people there may not be able to compete because they won't know both languages. Why then would you believe Parizeau or have any sympathy for him? He is exactly the one that's against bilingualism and is leading the separatist forces. You know, later on you say these four elites don't speak for everyone. I would say neither does he. So how would you make your presentation more consistent between what you said about him – and I think you use that to support a vision of no bilingualism anywhere – and then you criticized these four elites who want this French enclave. I'm sorry; I didn't understand the thrust.

MR. BROWN: I don't believe I said that I or my committee were against official bilingualism. What I said was that Mr. Parizeau pointed out to ourselves just a week ago that the official policy of bilingualism, while it may be a nuisance to western Canadians in that some of them get irritated when they call up a federal government office and the first greeting is in French as opposed to English – that's a minor nuisance to us, and we may get emotional about it. As the previous presenter said, it lies below the surface. But in Quebec the reigns of two governments now, both the Parti Québécois government and the current Liberal government, have been exercising a great deal of pressure for francization of Quebec companies. In other words, they actually have a certificate of francization, I believe it's called. I know I'm mispronouncing it. What it amounts to is proof that these companies are doing the best they can to deal in French, and when you put that up against Bill C-72, where the federal government is coming into the same province and saying that you must show us that you are willing to and are able to and in fact are dealing in both languages, then you see how the Quebec people are beginning to perceive official bilingualism. I think official bilingualism – and as the previous speaker again said, multilingualism – is a very desirable thing for any country, but to legislate that, to force it through the legislation of the federal government, is an extremely bad policy.

MRS. GAGNON: Thank you.

MR. ACTING DEPUTY CHAIRMAN: Jack Ady.

MR. ADY: Thank you. Mr. Brown, I'm sure you would be disappointed if you didn't get at least one question on the triple E Senate concept. We hear a lot about it even today. Recently Mr. Clark has made a statement about it. We had a presentation by a federal Senator today; at least, he talked about it as part of his presentation. In view of the climate today of what's happening in Canada, what do you think the chances are of achieving the triple E Senate with all three E's as you perceive them?

9:10

MR. BROWN: I think they're better right now than they've ever been in the history of this country. I think Canada is in a good news/bad news scenario. The good news is Quebec isn't going to leave; the bad news is Quebec isn't going to leave. We've got to deal with that reality. The fact that Quebec is beginning to understand the economic impact of separation or of sovereignty will leave them ultimately with the realization that we have got to work out whatever it takes to keep this country unified. We see the triple E Senate as a bridge between the interests of the maritime provinces, the western provinces, and Quebec.

Again, a very surprising aspect of our meeting with Mr. Parizeau was that he had never heard of the double majority in a reformed Senate until we presented him with that fact last Saturday. He did not say that we had solved all of the problems between French Canada and English Canada, but he did say we had gone a long way towards demonstrating that we care about understanding the fear in which the French language and culture exists today in the modern world, as less than 20 percent of all the people in Canada speak French and less than 3 percent in North America. In a world where a billion people now deal and work and communicate in medicine and aviation and many other areas in English, the French are truly threatened.

So I see it as a bridge. I think that certainly in the climate right now it's not possible to achieve a triple E Senate, but when we've gone through all of the exercises of trying to satisfy the wishes and desires of the various provinces – the Atlantic provinces want to make sure that they have access to equalization transfer payments, western Canada wants an effective voice in the national decision-making process, and two of the provinces in the west are the two major contributors to those transfer payments. So there are alliances that can be built with the maritime provinces: their desire to keep some kind of centralized government, the west wanting to keep the country together but at the same time wanting to have an effective voice, and Quebec finally realizing that while they are a minority, there are other minorities in the country and their desires must be addressed too.

MR. ADY: I just have one quick supplementary. You talked about a lot of regions, but you really didn't address Ontario in this formula. They really are the big power brokers in Canada. Where are they in this triple E Senate process?

MR. BROWN: No one has more interest in keeping this country together than the province of Ontario. No one is a bigger loser than the largest manufacturing sector. We're the supplier of the raw materials and the supplier of the markets for the finished materials that they manufacture out of those. I

think Ontario wants more than any other single province, I would have to say, to keep this country together. When they recognize that there are a lot of people in western Canada now that are prepared, if the country falls apart, if the divorce happens, that are even looking at the idea of building a country from just two provinces, Alberta and B.C., which have more natural resources and more wealth than any other two provinces in this country. When it sinks into Ontario that that's a very real possibility, then I think we'll all come to the table with reasonable demands.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you.  
John McInnis.

**MR. McINNIS:** Bert, I would like to thank you very much for your presentation. I learned some things from you. When I heard you describe how you learned from Jacques Parizeau about how the Péquistes opposed official bilingualism, how he learned from you about the double majority, it makes me think how important it is that we talk to each other in this country and how that worked out for you that maybe there's some hope for us after all. I learned a little from your presentation as well, because it seems to me that what you're saying is that the role of the triple E Senate is to strengthen our national government and make it more effective in dealing with all the regions of this country, and that's really the solution to the country rather than tearing apart the federal government and handing it out to the 10 provinces. Am I right?

**MR. BROWN:** You're absolutely right, and I guess that's why I keep going to meetings even though I've been at it for eight years now. I've been on two Senate reform task forces, and I've traveled this country I don't know how many times from one end to the other. I've been in Quebec a number of times, but I never had really understood how Quebec feels about bilingualism until one week ago. So I guess it is really important for Canadians to talk to each other. It's easy to hold animosity and unfounded opinions of people from 2,000 or 3,000 miles away.

**MR. McINNIS:** Well, I want to thank you for coming to one more meeting, and I hope you keep going to them. Thanks.

**MR. ACTING DEPUTY CHAIRMAN:** Bob Hawkesworth.

**MR. HAWKESWORTH:** Thank you, Mr. Chairman. I wonder, Mr. Brown, would you outline maybe in a little more detail equality of the Charter language communities concept? I've heard you speak often about the triple E Senate. I'd just like you maybe to spend a bit of time expanding on that one. I'm not so familiar with what you're getting at.

**MR. BROWN:** Well, it's just a brief way of trying to explain that we feel that language choice has no place in federal legislation. This has been brought to bear on us by more than just western Canadians and their feelings that bilingualism is a nuisance for them. As I said, it came to us with a commonsense realization by Premier McKenna of New Brunswick, who I think was the first person I'd seen who tried to solve the problems of bilingualism in a commonsense fashion. If I understand Mr. McKenna's policy, it's not that in all essential services in New Brunswick everyone who works for the government be bilingual but that at least one person who is on duty of a staff of whatever numbers there may be is at least bilingual or there are always

people that speak both languages on duty. You do not have a requirement that everyone who works for his department is bilingual but that those services always be available, if not from the first person you speak to when you come up to the counter but that there is someone on duty, present, who can speak either language. That is a commonsense solution, but that is not the policy of the federal government.

**MR. HAWKESWORTH:** Just further to that, is language choice, then, something that should be left exclusively under the jurisdiction of individual provinces, to determine what language policy within their jurisdiction should be?

**MR. BROWN:** Well, I think that's certainly what Quebec is saying, and I think that Canadians would just not be willing to accept constitutionalization of language choice in any province. So I see no other area for it to go than under provincial jurisdiction, but I think that the federal government, if this is to be a bilingual country and to have some meaning behind bilingualism, should have the right to promote bilingualism wherever it wants to but not to require it. I'm simply saying that it cannot be a matter of legislation. I don't think any government has the right to legislate a person's religion or their language. The only other country that I know of that I can find in the world that attempts to legislate language is Yugoslavia, and as far as I know Yugoslavia fell apart about 10 days ago. I think it's a very divisive thing when you start trying to legally tell people what language they must use, whether it's in Quebec or whether it's in western Canada.

**MR. HAWKESWORTH:** Thank you.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, Bert. Always insightful and dedicated to Canada.

That's the end of our predetermined agenda. We'll now take a couple of minutes to stretch. The committee's been at this since 8 o'clock this morning, and if you sit on your brain that long, it turns to mush.

[The committee adjourned from 9:19 p.m. to 9:31 p.m.]

**MR. ACTING DEPUTY CHAIRMAN:** As we mentioned, the next series of presenters are people that weren't able to get formal time slots. Again, in the interests of time, because it is 9:30 and after a while you may be talking but I'm not so sure that you're going to have a panel that's going to absorb all of your comments, we're going to cut the time down. We aren't giving 15 minutes on the unscheduled nor will there be questions from the panel. This is just an opportunity for people in the unscheduled part. This is the way we've carried on at all our other locations as well: you'll come, and we'll call at five minutes, which invariably stretches to seven or eight. We have six people on the list, so that means that probably it's going to be at least 10:30 before we're close to adjourning. It's with regrets that we can't be longer.

I might mention that tomorrow is a full day with the panel again, and there's an unscheduled part there as well if people are available and want to sit in or come to the unscheduled. Tomorrow is also, as I mentioned, ending our first stage. We may very well be back to Calgary for further hearings or another forum of input from people.

So we'll start with Mr. Ted Carruthers, and then George Waslen will be second. We'll again have the timer ding.

MR. CARRUTHERS: Thank you. I appreciate the opportunity to address the panel, and I express my regard for the tenacity of the panel. I come as an individual and certainly not as an expert in any aspect of the Constitution.

I believe a Constitution should be an enabling document, not a confining document. I believe the Constitution should permit each province of Canada the full opportunity to develop its economic opportunities as fully as possible in the context of one country. I think that to speak of social issues or social contract in the absence of economic development is folly, since without a strong and healthy economy social programs cannot be funded. Peters and Waterman in their book *In Search of Excellence* talk of simultaneous loose/tight principles, and I think that this concept applies to Canada and to our Constitution. Canada is a large and varied country with areas which have emerging economies and areas having more mature economies. These areas, or communities, should have firmly held core beliefs but be unencumbered in the way they implement these beliefs. Each region should be free to develop on its own.

Thus the Constitution should reflect the values of the nation while allowing the regions to develop individually and reflect the strengths of the region. For example, Alberta is a relatively young and immature economy. To a great degree it's a meritocracy where persons of intelligence and determination can prosper regardless of their ancestry or school affiliations. It's a more open society than is found in other parts of Canada. Nothing in the Constitution should impair the vigour which we find in Alberta or permit another region to confiscate opportunity or money on the basis of greater population. We must never again have a national energy program. Regionally strong economies should be allowed to flourish.

We are an overgoverned nation. The Constitution should be framed to limit the areas of overlap and conflict between levels of government. In that sense I favour decentralization. That said, there must be limits. I think it is outrageous that Ontario, particularly given its position, can implement a budget based on economic theories which have been largely discredited, with the potential to harm Alberta and the other provinces. The Constitution therefore should limit all governments' ability to spend no more than their income. We are in the financial mess that we are in because of overspending and excess consumption. This must be restrained by law, and by law I mean something that's above government and to which everyone is subject.

The Constitution should encourage institutional reform. Many of our national institutions have outlived their usefulness. Government has become too pervasive and is seen as a panacea. The Constitution therefore must reaffirm individual initiatives and rights and emphasize responsibilities to look after oneself, not abandon one's personal responsibilities to government. Collective or group rights should be de-emphasized while individual rights are emphasized. I'm concerned that people will abandon their personal responsibilities too easily. Therefore, regional representation in the Senate is critical, and I would therefore endorse a triple E or some variation.

In summary, I would endorse the recommendations found on pages 7 and 8 in the book *Strengthening Canada* under section C, Senate Organization, and under item 4, Other Recommendations.

Thank you.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Mr. Carruthers.

Is George Waslen here? Thank you for your patience.

MR. WASLEN: I think I can maybe solve this whole situation of unity. Mr. Chairman, committee members, ladies and gentlemen, good evening. Like the papers said, "Let's hear from you," so . . .

Alberta in a New Canada, and what kind of a Canada would you like to see in the future? Well, I would like to see a Canada without Quebec. I really mean that. Why should Quebec have special status or a distinct society, anything you want to call it? All provinces should be equal. Canada can no longer afford Quebec. As long as Quebec is a province of Canada, we will have bilingualism. I can hardly pronounce it. We now have two official languages in Canada except in Quebec, where they have only one.

Bilingualism is costing the taxpayer too much money: labeling, translations, language services. I'm sick and tired of paying taxes for language training. It costs Ontario alone \$11 million a year to provide a few French services in that province. I'm sure the money could be far better spent. Every year it costs the Canadian taxpayer \$45 million in transfer payments to provide and promote official bilingualism, \$102 million to provide translation for Parliament and federal departments. The Commissioner of Official Languages needs \$13 million a year to act as a watchdog to make sure this stuff takes place, and another \$9.3 million to develop and communicate official languages policies throughout federal departments. I wonder how much of that is spent on policing and promoting the English language. The public service commissioner needs \$28.9 million to provide language training for public servants and to test bilingual capabilities of candidates to bilingual positions. We really need that. We are sure pretty stupid to put up with this type of nonsense. We here in Alberta sure don't need the cost of bilingualism. To show how ridiculous it is, the Northwest Territories have approximately 1,500 French-speaking people and 53,000 others. They have to translate their laws into French, and if it's not done, they are threatened by legal action. Now, isn't that unity? Well, it sure is.

2-41

And what about balance of payments and transfer payments? In 1988 Alberta paid about \$1,688 more in taxes per capita than we got back in benefits, while Quebec got \$304 per capita more in benefits than they paid. That means it cost Alberta residents \$1,992 each more than Quebec to help support the rest of Canada. Let Quebec go; we don't need them. We can't afford them, and good riddance. Bilingualism has been tearing this country apart; it sure has not provided unity.

And what kinds of changes would I like to make now? I would have a tax revolt. Politicians don't listen to the people. Our tax freedom day used to be around April, May, June; now it's August. That is, all the money that I make from January to the end of July goes in one form of tax or another. They say I get to keep the rest, but there isn't much left.

Members of Parliament should be responsible to the people, the taxpayers, and not to the Prime Minister or to the party platform. Referenda must be held on major issues: unity, metric, GST, bilingualism, the RCMP dress code, and free trade. You can't rely on politicians to make those decisions. They ruin the whole damn country.

With regard to immigration and refugees, I'm sick of paying for language training for hundreds of thousands of immigrants. Who paid for training for those who immigrated here in the 1900s? Also, anyone who immigrates and gets into trouble with the law should be shipped out and no questions asked.

I'm against foreign aid, but if we have to have it, then it should be passed by a special committee. There should be an annual budget for a year and it should be disbursed from there, not at the whim of the Prime Minister. Any country that has not paid back a previous aid package will not receive any more. Who's going to give Canada aid when we need it? At the rate we are going, we are going to need it pretty soon.

Members of Parliament and MLAs should be elected for a two-year term and should not be allowed to give themselves a raise. The pay when you are elected is what you get for two years.

Thanks for listening to me. I'm George Waslen, just a private citizen.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you, George. Would you care to leave a copy of your brief with the secretary? Thank you.

Our next speaker is Roy Farran, followed by Dr. Reich.

**MR. FARRAN:** Mr. Chairman, ladies and gentlemen, I haven't got a brief addressed to you, but I have a brief that was addressed to Joe Clark, who asked me to give my views on the situation. It's written in a very informal style, but I've got six copies here, and I'll leave them with you.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you.

**MR. FARRAN:** I'll highlight it only.

I think it's important to remember that in the democratic world this was a reasonably successful country until we patriated our Constitution, had a written Charter of Rights, and we failed to get the consent of the French-speaking province of Quebec when René Lévesque refused to sign in 1982.

Now, the failure of the Meech Lake accord, even after it had at one stage received unanimous support among the provinces, precipitated a national crisis. But think back for 110 years. From 1867 to the early '70s we had a successful country with a minimum number of crises. I mean, it was never perfect, but we didn't have the sort of crisis we have today. The reaction to Meech Lake, which was a very modest proposal if you look at it in an unbiased way, was largely caused by Trudeau's impossible dream of a highly centralized bilingual Canada. Canada can only work as a fairly loose Confederation. That's why they call it a Confederation, and that's the way it was until the Trudeau regime. It's like a big bridge with expansion joints, a chain if you like, held together with a federal clasp. If you try to centralize a country this big too rigidly, you have the same failures they're now having in Soviet Russia, in Yugoslavia, in many other parts of the world. You've got to have flexibility in a big country like this.

There you have the difference between two concepts of Canada. Mine, that it was a deal of equal provinces inheriting the generosity that the British showed towards the French after the conquest, leaving them with their own language, leaving them with their own Civil Code and the Napoleonic Code, leaving them with really what amounted to self-government – you have that concept as opposed to the other concept of the highly centralized Canada ruled by an imperial capital in Ontario, which I say won't work.

Now, since the Trudeau regime we've had all sorts of invasions into provincial rights under the BNA Act by the central government using its superior taxing powers. We had the birth of the welfare state, with a federal invasion into education and health and several other areas. They even ignored some of the shared

jurisdiction areas like immigration, which was a shared jurisdiction from the beginning. This is what has sort of exacerbated the marriage, if you like, between Anglophone Canada and French-speaking Canada.

If we want to keep Canada as it has been for this last 160 years – the whole world's laughing at us, our being on the brink of breaking up – we can't say: "Well, let them go. I'm not going to read French on the cornflakes box anymore. If they want to go, let them go." You won't have the same Canada. You've got to address your minds to the point at issue – What will it take to keep French-speaking Canadians within Canada? What will it take to keep Quebec within Canada? – not think at the moment about native rights or women's rights, however urgent they may be. You've got to address your mind to what will keep Quebec within Canada if you want Canada as it was for 167 years when it was sort of partially self-governing. If you want to go right back to 1760, it's really 200 years. If you want to blow it, then okay; you can talk about revamping Constitutions in an overall fashion and forget Quebec.

I want to keep Quebec in Canada. I'm even prepared to make some concessions over bilingualism, short of mandatory quotas in the federal civil service and the army. I think the only possible solution is devolution, that you've got to go back at least to the areas of provincial jurisdiction under the BNA Act. You've got to admit that it's fair that if the feds invade the old provincial jurisdiction, then a province should have the right to opt out and not forfeit its fair share of tax money. This is the main thing that Quebec's been asking for. I think René Lévesque would have signed if that had been offered to him in 1982. To me it's eminently fair. They've been allowed to do it in some areas. They have their own pension plan, far better than the Canada pension plan: a huge success. I mean, the caisse has boosted the provincial economy in Quebec enormously. I think if you start talking about federal environmentalists having a say in whether the next stage of James Bay hydro goes ahead or not, then you're finished; you've lost Canada. That's their future. They're not going to have a bunch of Anglophones telling them how they're going to develop their natural resources. Let's be realistic.

I think you've got to start trying to repair the damage that was caused by Mr. Trudeau and, more recently, by his disciple Clyde Wells in Newfoundland.

Thank you very much, and I'll give you my . . .

9:51

**MR. ACTING DEPUTY CHAIRMAN:** Thank you very much, and we'll receive your brief. Thanks very much, Roy.

Dr. Reich.

**DR. REICH:** Thank you, Mr. Chairman. I hope possibly to speak to you further than the 15 minutes or so because I'll be out of province, so possibly this will be the last shot I will have at this.

**MR. ACTING DEPUTY CHAIRMAN:** Regretfully, you won't be tonight.

**DR. REICH:** Not tonight, no. So I'm going to start at the back of my brief here, just refer to brief pieces of it and the conclusion of my six pages and my enclosures.

For reason of bureaucratic government and administration of government, many of Canada's institutions have been near destroyed and our people demoralized. The second last bit just before my conclusion is that if the morale of the individual is

not so protected, the prediction inherent in the following epigram will come true. This is an epigram that I coined.

Where there's a bureaucracy, there is no freedom.

Where there's no freedom, there's no morale.

Where there's no morale, there's no morality,

Not even among those who are being governed bureaucratically.

I'm a physician. I might as well present some of my credentials. I was born in this province in 1917. My father was a pioneer. He built his store in what became north Edmonton in 1906. I served three years as a captain in the army as a medical officer, and I've done private practice since 1950. In the '50s I did two things. I criticized the health care insurance plans for what I call their fixed premium and fixed fee for service, which served as a subsidy for the overusage of medical services. Also in the '50s through my research I became an innovator of megavitamin therapy. Because of those two things which occurred in practice, I've evolved in my medicine now a unified concept of disease concerning ionic calcium deficiency, which is a solution for the allergic reaction, the autoimmune reaction.

As well, in my pursuit of this I came in contest with the powers that be that wish to maintain medicare as it is, despite my protestations. Because of this, without a patient complaining against me either in those three years of military service or 31 years of practice, I was pulled into a room, subjected to an examination of fitness of practice, my licence was canceled in Alberta, and my licence was canceled in all of Canada. So when I appealed to government regarding the constitutional rights that I was guaranteed in the Constitution, I was pointed to section 24 of the Constitution, which said that you have the right to defend yourself and your rights in court.

I would protest this, and I say that the Constitution should be managed, should be protected, should be guaranteed. The rights that are guaranteed should be guaranteed rights. I should not be expected to go to court and protect my democracy in court against an administration of government who had denied me justice in that room in which I was examined. So because I protested, because I differ in terms of medicine regarding the superscientific medical care, because I differ in my attitude towards medicare now, which I say is a subsidy of overusage of medical services, I pose myself as an example of an individual Canadian who has attempted to better the system since 1950. My rewards for this are that now at 74 years of age I live on pension, I live disgraced, I lost my life's work. And section 24 – by the time you lose your means of living and you're refused legal aid and the six-month statute of limitations is up, your chances are lost.

So, Mr. Chairman, I go back to my conclusion, and I suggest to you that the health care system is now getting close to ruin by bureaucracy. I'll repeat this conclusion: for reason of bureaucratic government and administration of government, many of Canada's institutions have been near destroyed and our people demoralized. I would suggest to you that the health care system is now near collapse, and the medical profession knowingly are quite demoralized. I think in my new Canada I would like to see morale and morality within the profession. I would like to see the individual rights of the physicians protected completely. Then Canada may get a health care system of some value as opposed to the one that's now heading for the brink. As bureaucracy took the second mightiest nation to the brink, so the bureaucracy will take Canada's health care to the brink if the individual within that system is not protected.

Thank you, Mr. Chairman.

MR. ACTING DEPUTY CHAIRMAN: Thank you, Dr. Reich, and if there is, and I'm sure there will be, a second round, get your name in so that you can get into a slot.

DR. REICH: I'll be out of province. I'll try, but I'd like to have another . . .

MR. ACTING DEPUTY CHAIRMAN: Well, that will be later anyway. It won't be for a bit yet.

DR. REICH: So I can have another shot at it. Thank you very much.

MR. ACTING DEPUTY CHAIRMAN: Again, thank you. Is Philip Fisher here?

Hello.

MR. FISHER: Good evening, lady and gentlemen. I speak to you as a Canadian, not as a hyphenated Canadian. I am not an Albertan-Canadian; I am not a British Columbian-Canadian; I am a Canadian. I have had the licence plates of four provinces and have four driver's licences in my wallet. That means I have spent a considerable chunk of time in British Columbia, Alberta, Manitoba, and Ontario. I was a serving officer in the Canadian army in Quebec in 1970 during the Quebec crisis. I first heard of the Quiet Revolution in 1965. I want to keep Canada together. This country is worth keeping together. We have too much to lose if we blow it.

Towards the new Constitution. There are some basic principles that we should have in a Constitution. All persons, male or female, must have freedom of speech, religion, association, movement, and the ownership of property. All persons, male or female, have responsibility to respect the rights of others and not to impose oneself on others.

Division of powers. The federal government should have the following powers: defence, currency, justice, foreign relations, immigration, medical care standards, education standards – yes – across the country, trade and commerce within Canada and between provinces, not a bunch of Balkan states, and taxation.

#### 10:01

Finance. The federal government may not have deficits for more than three years out of the last 10. To do so would be an immediate act of nonconfidence. The only exception would be in time of war.

The provinces and municipal governments may not run deficits. No grants, gifts, loans, or subsidies are to be made to private individuals, corporations, or institutions. If we got rid of the nonsense of MagCan, NovAtel, Peter Pocklington, a helmet manufacturer that couldn't manufacture helmets and couldn't pay his people, and on and on and on. And it goes across the country: \$800 million at a cheap rate to Thailand so that Lavalin from Montreal can engineer a high-speed LRT system; \$100 million to Algeria so Lavalin, again, can develop a monument to socialism; and on and on and on. We could cut our taxes in half without that garbage. Private business can stand on its own two feet or fail. I know; I'm doomed myself now.

The structure of government. The House of Commons should be constituted as it is presently, but members should be elected for two terms only. That includes the Prime Minister. The present one was only in the House for a year before he was elected. The Senate: there would be four persons from each province appointed on a draw as with jury duty, but it would

differ from jury duty in that the people would be able to beg off for personal or business reasons. The appointments would be made by the Supreme Court of each province, and one quarter of the members would be chosen each year and three months.

Amendments to the Constitution: these would need to be passed by seven provinces containing a majority of the population.

I thank you for your consideration, and I thank you for staying awake this late at night.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you for your emphatic presentation. Do you have a copy of the brief that we could have?

**MR. FISHER:** Yes.

**MR. ACTING DEPUTY CHAIRMAN:** Thank you.

Well, ladies and gentlemen, we've reached the end of our agenda for the night, and I see we're only five minutes over time, so that's not bad at all. I wish to thank, on behalf of the panel and Alberta and Canada, each presenter and each participant, because I call the rest of you participants, those who have sat here and listened to the representations. We will reconvene tomorrow morning in this room at 9. If you have time or interest, please join us. As I mentioned, if you aren't in a slotted time and you wish to make a presentation, there is at least an hour set aside for unscheduled presentations.

We will be analyzing our presentations on June 6 with those of our other panel, which is traveling the northern part of the province – they're meeting in Edmonton tonight and tomorrow – and then decide what our next step will be. As I mentioned earlier, that may be further hearings. We're not sure just at this time, but we will be taking time to hear from Albertans.

Again, I thank you for your participation. Those who will be back, we'll see you tomorrow. Thank you.

[The committee adjourned at 10:05 p.m.]