

9:02 a.m.

Saturday, June 1, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, I'd like to get the meeting under way, if I could. First of all, let me welcome you all here today, those of you who are planning to make presentations and those of you who are here just to listen and to learn.

The panel is here to learn the views of Albertans on the future of Alberta in a new Canada. We are members of a select special committee of the Alberta Legislative Assembly comprised of 16 members representing all political parties. We've divided ourselves into two panels, and the two panels have been conducting hearings throughout Alberta during the course of the last week. We started a week ago yesterday in Edmonton, this particular panel, and spent all of Saturday last week in Edmonton, moved on to Lloydminster, then to Camrose, then back to Edmonton, on to Lethbridge, then to Medicine Hat, and then back to Calgary last evening.

All members of the panel were here with the exception of myself last evening, but I had a daughter graduating from high school last night in Medicine Hat, so all of you will recognize where my priorities were. So I'm here this morning. Unfortunately, one of our panel members, Ken Rostad, had to leave to attend the funeral of a very close and dear friend in Camrose. I will ask my colleagues to introduce themselves in just a moment.

I'm Jim Horsman. I'm the MLA from Medicine Hat, and I am the chairman of this select special committee. I'll start on my left and ask each of the other panel members to introduce themselves.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Bob Hawkesworth, MLA for Calgary-Mountain View.

MRS. GAGNON: Yolande Gagnon, MLA for Calgary-McKnight.

MR. ADY: Jack Ady, MLA for Cardston.

MR. SEVERTSON: Gary Severtson, MLA for Innisfail.

MR. McINNIS: John McInnis, MLA for Edmonton-Jasper Place.

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

MR. CHAIRMAN: The process by which we will operate is that each presenter will be provided with 15 minutes. At the end of 10 minutes a bell will ring to alert you to the fact that you have five minutes left. We'd like to have time for members of the panel to ask questions of the presenters if you raise issues that raise questions in their minds, but we are here to listen. We're here to seek out the views of Albertans. We're not here to tell you what we think; it's the other way around.

So having said that, I would like now to call on Maurice Marwood and Jack Nodwell, who will be making a joint presentation. Is it "Morris" or "Maurice"?

MR. MARWOOD: "Morris" is fine.

MR. CHAIRMAN: "Morris." Okay.

MR. NODWELL: Thank you, Jim. My name's Jack Nodwell. I'm the chairman and chief executive officer of Canadian Foremost in Calgary. Maury and I are both going to make presentations. They won't necessarily be a duplication either, so we won't, hopefully, bore you with that. We point out that these are really our personal opinions, not necessarily representing that of our company.

Firstly, I would like to state that I believe there's not really very much wrong with Canada. One needs only to travel to other countries and compare to find out really what a fine country we have, and Canadians know this at large. So what I'm saying is that although the country isn't broken in the sense that it needs fixing, from that point of view, I think there is a growing concern with the constitutional crisis that we can use to our advantage to try and make this country better. Change is needed, and the country can be improved if we take advantage of what we are undertaking right now. I think it would be important as we go through this process to convince people as much as we can that we are adopting an attitude that we're not fixing what is wrong but taking a chance to make what is good even better.

Now, as you know, the country needs to focus on productivity and, out of that, the quality of life. To me this highly includes the role of governments in the economy as much as it does that of labour and business. Collectively, we must reduce the combined size of governments if the country is to remain competitive and to put its finances in order. Perhaps this whole constitutional issue offers the opportunity to address that at the same time.

In terms of Quebec, I think the perceptions of how we - that is, particularly in western Canada - view Canada are completely different from how Quebecers view Canada. We think of Canada as being made up of 10 equal provinces in a federal system wherein each of the citizens have equal rights under the Charter of Rights. It seems that Quebecers tend to view Quebec as a special place that is associated with Canada and do not think of Quebec as a province in the same context as we do. Quebec already, as we know, enjoys many special rights such as language, environmental control, pensions, immigration, and so on, yet what we're faced with is the fact that Quebec seems to want more.

What I'm suggesting is that we should maybe take the opportunity to look at their proposals carefully to see if perhaps there is a model there for a new structure of Canada; that is, maybe only two or three regional governments for the whole country, which have given to them strong control of things that are of close interest to the people, and one central government that deals with issues of national scope and international matters. In my opinion, the country cannot afford 11 governments trying to do the same things, thereby making us inefficient and noncompetitive through duplication and power struggles involving too much regulation.

I want to point out that I'm an Albertan by birth and I really love this province, but I have made up my mind to state that I'm a Canadian first and I would be prepared to see this province disappear for the better good of the country. What I'm asking is: can Alberta show the courage and leadership to propose this to its citizens and to other provinces? On the other hand, in looking at this, if Quebec's model won't work, then I believe we must be prepared to tell them that they can declare independence and leave. As sad as that would be, the two new countries that would result would likely both get to work and build strong nations. What I believe will not succeed in strengthening

this country is a process that is based upon appeasement in an effort to maintain the status quo.

Thank you.

MR. CHAIRMAN: Thank you very much.  
Maurice.

MR. MARWOOD: Thank you, Jim. I would like to just take a minute and describe a little bit about my background because I think it's important in terms of forming my views on this particular issue. I was born and raised in eastern Canada, and I left the country in 1966 to work in the U.S. I had the opportunity during that process to live in Europe as well as the Far East and travel much of the world. I came back to Canada in 1986, and since then I've had the opportunity to manage a plant in Quebec just north of Montreal and then come to Alberta in this particular position.

I have also given you a handout, which gives a lot more detail on the particular issues that I think are important, so I won't get into too much detail. I'll just try to summarize what I consider to be the key issues from my point of view.

I think the fundamental problem is that Canada lacks a national sense of purpose and direction. I do not believe that unity will exist until the people can develop shared expectations based upon a clear national belief system, a mission, a vision for the future. The conflicts we see between the Anglophones and the Francophones, between the east and the west, the west and the central, and between the aboriginal peoples are, in my opinion, mere symptoms of the fundamental problem of not having a national sense of purpose and direction. Bilingualism is a much talked about issue, but I lived in Switzerland, and they very comfortably accommodate four national languages. Hong Kong accommodates three national languages. Many, many other examples can be cited where bilingualism or trilingualism is not really a deterrent to forming a strong national union of multicultural people.

9:12

Likewise, I would say that the distribution of power between Ottawa and the provinces is really another symptom of the problem. Distribution of power will not form unity in this country. It's another symptom of the problem. I think that all of this bickering is caused by not having a sense of national purpose, a national belief system, or an allegiance to a nation. We don't have allegiance to a nation. So if that's a problem, what can we do about it? I think there are some specific issues we need to deal with in order to overcome that situation.

The first point, I believe, is that we have to declare ourselves independent of Great Britain. I think that's critical. How can we be Canadians when we don't even have a Canadian as a head of state? We're a colony of Great Britain. We can't identify a unique Canadian identity so long as we're a colony of Great Britain. That's not talked about very much, but I think that's a critical issue. We happen right now to be in the process of negotiating a contract with Her Majesty, and it says very clearly in the contract, "Her Majesty will . . ." or "Her Majesty shall . . ." It really prevents us from having a close national union of Canadians. We are truly still a colony, and I think we have to deal with that. Constitutional reform should deal with that directly.

Secondly, I think we need to find a way to develop better economic union amongst ourselves. I happen to work in the trucking industry. I was managing this plant in Quebec, and I can tell you that a truck today cannot travel across this country

from B.C. to the Atlantic provinces or even Ontario without stopping, redistributing their load, and changing the configuration of those vehicles in order to get from point A to point B, and it's because of economic differences between the provinces. We need a free trade agreement with ourselves, let alone the U.S. Somehow these internal economic barriers need to be broken down, I believe, and then we can hopefully join together, look externally, and try to be competitive in the world rather than between ourselves.

Thirdly, I believe that we have a very, very large country with approximately 25 million, 26 million people. In my opinion, this country can easily accommodate another 20 million, 30 million people over the next 15, 20 years, and I think we need to establish a lenient immigration policy that goes after that particular goal.

Finally, and fourthly, I certainly agree with Jack that we have to find a way somehow to reduce the size of government. I think it's a major deterrent to achieving national prosperity. It's a deterrent to achieving economic strength. We need a limited central government and a much reduced size of government.

In conclusion, I would say that in order for Canada to mature from a colony, which we are today, to a world-class nation, we must all make a serious and diligent effort to develop a national soul, a national belief system, and a national ideal that we can all look up to. This ideal can be achieved if we define our nation in these very specific terms: a country that is governed by a small, efficient political body which staunchly defends individual freedom and supports a globally competitive economy. I think Canada can then become a healthy, unified nation producing the wealth necessary to maintain the quality of life that we'd very much like to protect.

Thank you.

MR. CHAIRMAN: Thank you very much. Questions? Jack Ady.

MR. ADY: Just a question on bilingualism. You mentioned other countries: Switzerland, for instance, has four languages; Hong Kong deals with three. Are those languages mandated by the governments there similar to the way it is in Canada? Do you favour our present bilingual system in Canada?

MR. MARWOOD: Firstly, in Switzerland all of the government documents are published in four languages, so that's an official position. It's not just a multitude of people speaking different languages. All government documents are issued in four languages.

In answer to your second question I believe that people should have the right to speak the language they wish. I believe that they can do that and we can still be a unified nation. I don't believe that anyone, Ottawa or the provinces or anyone, has the right to tell a person what language they should speak.

MR. ADY: If I could just have a little more clarification. I guess what I'm trying to define is whether the fact that there are four languages spoken in Switzerland today – did that evolve because there were just that many different cultures there? Or did the government decide that there were going to be four different languages and mandate that they be taught in the schools and that they would print in four languages? What's the history of it? How did it happen I guess is my question.

MR. MARWOOD: I'm really not familiar with the history of how it evolved. I'm sorry; I cannot answer that question.

MR. CHAIRMAN: John McInnis, Fred Bradley.

MR. McINNIS: Both of you spoke of the need for a strong sense of national purpose to try and get us out of the foul mood that we're in as a nation, but I didn't really get a sense of what you see that national purpose to be, other than being competitive internationally. Can you perhaps expand a little on what type of a purpose you see that we need to rally around?

MR. MARWOOD: In my opinion, our purpose at the moment should be merely to become a family. I think becoming a family can be a national purpose. We're not a family today. A family with a capital F: I think that's the best way I can describe it. That should be our national purpose, to become a family.

MR. CHAIRMAN: Jack, do you want to add . . .  
I'm sorry; you wanted to add to that?

MR. NODWELL: Well, Maury did make the other point, too, that because we have the tradition of still having the Queen as head of state, it's hard to know who we are. Why don't we determine that we are one country and get on with it?

MR. CHAIRMAN: Fred Bradley.

MR. BRADLEY: In your brief you mention the economy and that one of the problems we have is the size of government. You suggest there should be a reduction in the size of government, and Mr. Nodwell specifically suggested we should look to setting up regional governments, reducing the number of provincial governments. Do you have any specific thoughts as to what these regional governments would be in terms of geography, what geographical areas they'd represent? Also, what responsibilities would you assign to them? Would you assign responsibilities similar to what Allaire is suggesting?

MR. NODWELL: On the second part of that, parts of what he is suggesting probably make sense, since it's obvious Quebec is heading that way. So what I said is that we should address it to see if that would be a workable model. The size of these other regional governments is hard for me to answer because, of course, it becomes very emotional, but the larger the better. If there were no more than three, Quebec counted, I think that would be ideal.

MR. MARWOOD: In my opinion, without having given a lot of thought to this, quite frankly I think that one government west of the Ontario border is certainly sufficient, one government in Ontario, perhaps in Quebec, and then the eastern provinces. That's more than sufficient, in my opinion.

MR. CHAIRMAN: Yolande.

MRS. GAGNON: Thank you. In order to become a family, we will have to dispel a lot of myth, a lot of stereotype, a lot of misunderstanding. I think we've seen this week that, you know, we do have a lot of that kind of work to do. I think this is a start, dialogue like this. How would you suggest we accomplish that locally but also nationally? There have got to be some mechanisms.

Secondly, how are we going to get this free trade across provincial borders? Establishing regions is one, but if that doesn't work, what else could we do to encourage free trade within Canada?

MR. MARWOOD: In terms of becoming a family – and I think that's a good analogy, in my own opinion – to me it's impossible to develop a family when the head of that family isn't even part of the family, the head of that family doesn't even live here. Now, that's a symbolic thing, but I think it's a very important symbolic thing. Who's going to be the head of the family so long as we're a colony? Who's going to represent the head of this family? I think that's a very, very critical symbolic issue to understand, and I believe that if we were to stand up and declare ourselves independent of Great Britain, we would become a family very quickly. Obviously, there are some direct descendants of Great Britain that would be very upset with that, and it is a very emotional issue. Nevertheless, it is a symbolic gesture that I really believe we have to do to become a family.

MRS. GAGNON: And the free trade and communications systems kind of thing, I guess: how to dispel myth and stereotype.

9:22

MR. MARWOOD: That will take some time, and I guess I don't have an action plan, necessarily, to get to that point. But I believe that if we can rally around the economy . . . To me, everybody's interested in the economy. Everybody wants work; everybody wants to be successful economically in the world and within their own country, and I believe that if that becomes a national purpose, which I'm fortunate to see it becoming, I think that can serve to dispel and take away a lot of the myths and the white elephants that are preventing us.

MR. NODWELL: Yes. On that part about the family, that's what I would think we should focus on. The country at large has a competitor out there that is all the rest of the world. We must pull together to be sure that we maintain our good country. In other words, that's the theme, and let's proceed.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Bob, did you wish to get in?

MR. HAWKESWORTH: Thank you, Mr. Chairman. Just a couple of questions here. One in particular we heard yesterday – I think it was in Medicine Hat – a suggestion that the Alberta Legislature establish a commission or a study, or maybe it's something our panel could undertake, and that is to review the costs of potential breakup of the country on the Alberta economy, or maybe even just the future of the Canadian economic union. Is that something you would see as being an important role for us to be doing at this moment, or do you think that might just cloud the issue?

MR. NODWELL: I'm sorry; what was your question?

MR. HAWKESWORTH: For the Alberta Legislature, much along the lines as Quebec has done, to sort of establish a commission or a study of the future of our economic union and our role as a province in that. Is that something that you think would be helpful at this juncture? Or maybe not, that it would just simply cloud the issue.

MR. NODWELL: It's difficult to say. From what I understand your question to be, I think you should address that right now, with what you're doing as an overall thinking. My suggestion

would be: don't restrict your thinking to any concept at this particular time.

MR. MARWOOD: I think, Bob, that you asked whether or not you should pursue an investigation of the costs of the breakup. Is that what you asked?

MR. HAWKESWORTH: That was the proposal, one of the mandates, much as Quebec has established a commission of the Legislature of Quebec to look at the costs and benefits of sovereignty association and an independent Quebec. Someone in Medicine Hat suggested that the Alberta Legislature ought to set up a similar kind of body to review the future of the Canadian economic union: what might happen in the event that Quebec separates, its impact on the Alberta economy, and perhaps even to look more at the prospects of our regional economy and the Canadian economy as a whole with or without Quebec. So I'm just wondering whether your immediate reaction to a suggestion like that would be positive, or do you think that maybe that's just avoiding the issue or clouding the issue?

MR. MARWOOD: I guess, in my opinion, to investigate the economic consequences is a waste of time. Not only that, I think it's detrimental because it will detract from the main issue. This is not a business decision we're making. It's not a cost/benefit decision we're making, you see. It's an issue dealing with our lives and our future . . .

MR. NODWELL: And how we feel about it.

MR. MARWOOD: . . . and how we feel about it. So the costs are a number. How do you determine the threshold: whether that number is too big or too small? Either way we go, the price we're paying today for not being a union is astronomical compared to the cost of fixing it. So I think that would be a waste of time and detract us from the main issue. The main issue is trying to become a family, I believe.

MR. HAWKESWORTH: Okay. I appreciate that. Just one quick last question then, Mr. Chairman. Do you think it would be helpful for us to look at writing a preamble to the Constitution that might embody some of these ideals that we're trying to strive for as a nation? You know, the American Constitution's is "life, liberty, and the pursuit of happiness," but there's nothing really quite equivalent to it in our Constitution along the same lines. Is that something that might help unite us?

MR. NODWELL: Right. The shorter you can make it and the more you make it a vision, the more it'll have meaning. I would try that.

MR. MARWOOD: If I could comment, I think the greatest single thing Albertans can do is to set an example for the rest of the provinces by standing up and saying exactly what Jack said: "Hey, we're Canadians first, and if we have to go a way as a province in order to build this family, then we'll do it." I think that for Albertans to make that very, very bold step would be very, very beneficial to the process.

MR. CHAIRMAN: Thank you, gentlemen. I just wanted to tell you that we've had people come before our panel who are passionate defenders of the monarchy and the constitutional monarchy and the British parliamentary system. What you are

proposing, of course, is a republican form of government, and there are many people who question whether or not the same sense of loyalty to President Mulroney or President Trudeau or president whoever, who is an elected person, would be there. Therefore, I can tell you that what you're suggesting would engender, I know, a very major emotional concern for a very large number of Canadians.

MR. MARWOOD: Mr. Chairman, if I can comment, I did have the opportunity of living in the U.S. for approximately 15 years. The loyalty of the American people, in my opinion, is not to the president; the loyalty is to the country. But they can see that that country has an American as its head of state. Depending on who it happens to be at the moment, they dislike their presidents every bit as much as we dislike our Prime Minister, but it doesn't detract from their allegiance and loyalty to the country, you see. That's a major distinction that I think we have to recognize. It's not loyalty to Mulroney that's important. It's loyalty to the country, knowing that we're a family and that the head of that family happens, for the moment at least, to be a Canadian, and so will the next one.

MR. CHAIRMAN: I know your theory, but I'm just putting out to you that there are many people in this country who passionately disagree with you.

MR. MARWOOD: I know that.

MR. CHAIRMAN: Thank you.  
Jack Ramjeeawon.

MR. RAMJEEAWON: Mr. Chairman, first of all, I want to thank the task force for giving me this opportunity to address the many problems that our country faces. I would like also to remind this committee that you have probably been briefed by many different organizations and lobby groups, but I'm speaking on my own behalf. I can guarantee you that there are many people like me who would have liked to come and speak to you, but because of the life-style that we have in this country, we don't take time to come and express our opinions. So I would really appreciate the task force taking a serious look at some of those individuals that come and brief you.

In preamble to my presentation, Mr. Chairman, I would like to relate a little bit about my background and my reason for coming to this country. Hopefully, this will help you understand my views and where I am coming from. I was born and raised on the island of Mauritius from an East Indian ancestry. Mauritius is a truly multicultural society much like Canada. For those of you who are not familiar with the location of this island, Mauritius is located east of the coast of Madagascar in the Indian Ocean. In Mauritius I was part of a group of people which formed the majority of the population. Here in Canada I'm a visible minority. I'm married to a Canadian Mennonite girl. We have two boys who attend a bilingual school, participating in a French immersion program, which brings me to my first remark about multiculturalism.

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I asked myself: why did I come to this country? Did I come here to promote my culture, my kind of music, my religion, and so on? My answer to this question, Mr. Chairman, is no. I came to Canada in 1974 because I could see a better economic future for me. I am very grateful to Canada that I have the freedom of speech, religion, everything the Charter of Rights

entitles me to. I would like to leave a legacy to my children about my roots and the mosaic culture that I brought to this country, and I believe it is up to me, my total responsibility, to promote these aspects. I strongly believe the government should try to make us proud Canadians, not – and I stress the word "not" – hyphenated Canadians. In other words, the Canadian government should revise its policy on multiculturalism. As an example, yesterday I was at a customer's of mine. They were never from Germany; their parents came from Minnesota, but because their name was Schwinghamer, everybody called them German-Canadian.

It would be my suggestion that funds used to promote multiculturalism be used to help new Canadians learn the English language if they live in an English dominated province, or French if in a French dominated province. It seems especially important for women in our culture to have help to adjust to our society, which in turn will help them raise their children to be proud Canadians.

I would like to draw a parallel between a Canadian and an American which I recently observed on the news. There was a Jordanian-born American in combat during the recent Gulf war in Iraq saying to a CNN reporter: my allegiance is to the U.S.A., and should I see an Iraqi or a Jordanian as an enemy, I will have no problem defending the American flag. More recently, however, I noticed on the news some Canadians, born, raised, and educated here, going to fight for Croatian independence, being interviewed and reported as saying that Croatian independence was worth it to them even if they had to die in the process. What I mean is that the Canadian government is not making us proud Canadians.

Another example. In Mauritius, where, as I say, I come from a multicultural society, the politician is trying to please every ethnic group in that country. At one point we had around 26 statutory holidays: one for the Chinese, one for the Hindu, one for everybody. What was happening? It was detrimental to the economy; everybody was pulling their money out of this.

My next remark, Mr. Chairman, will deal with constitutional reform. Although I'm not a lawyer and not fully informed of the legalities involved, I feel, probably like the majority of Canadians, that the status quo has to be changed. I feel we as western Canadians should fight for a triple E Senate or some kind of reform in the upper House. For example, the maritime provinces could be one group; the western provinces – Manitoba, Saskatchewan, and Alberta – could combine as another group; British Columbia and the Northwest Territories still another group; with Quebec and Ontario having individual provincial representation. There should be an equal number of elected Senators from each of these groups so that each region is represented. Basically, what I want to say is that we have to have a mechanism so that programs such as the NEP or something like the CF-18 will not happen again.

Regarding the elected House of Commons, we have a system now where we elect an MP for a riding. If 70 percent of the population goes to vote on election day and you have three parties and two of them get 20 percent and the other one gets 30 percent, you have an MP who has been elected by 30 percent, which is not a hundred percent of the population living in that riding. In Europe and many other countries there is a second round. I can guarantee you from experience of when I lived in France . . . You have a group of candidates standing for election. You have the first round, and after the first round you have runners-up. Then what happens is that when the people that didn't vote on that day find out that some other candidate that doesn't represent their views is going to be

elected, they go on the second round and vote. So we have 50 percent plus 1. On top of it, what you get is that you know where the population wants the country to go because you have 50 percent of the riding that has voted for that MP. It has increased the percentage of participation on election day.

I also would like to link our constitutional difference with our economic advancement and competitiveness in this world. I feel personally they go hand in hand. If I could give you some examples. We have south of us a big mass of population in California and some in the northern United States. Central Canada should realize that to help us take this opportunity, we have to be one. By that I mean diversification of our industry in western Canada, lifting trade barriers among provinces. I mean that if we are strong economically, we will be strong constitutionally. We feel we can work together, which brings me to my next remark: Quebec in Confederation.

I have had the opportunity to speak to many people as well as politicians in Quebec. The sentiment a few years ago was that the young people of Quebec could do it on their own. That's the feeling that I felt when I talked to some of the people, and probably some of the polls that were released. For a long time they have been just blue-collar workers: bureaucrats and civil servants or factory workers. Of late, statistics show that percentage-wise there are more young people studying business administration in Quebec than in any other province, which just tells you that if you are strong economically, you can make it as a country.

I want to live in a strong united Canada that includes Quebec. I feel we should accommodate the distinctness of Quebec culture and language, and I might add that I'm very proud of it. In some ways I liked the Meech Lake accord, because when I came to this country I knew there were two founding nations, English and French. The immigration officer mentioned that to me. However, I feel that the way the bilingual program has been implemented in the country by the federal government has created more division than unification between the two founding nations. As mentioned earlier, my children attend a bilingual school, one of the reasons being that I love the French language. I think it's the most romantic language in the world. It is good to know more than one language, but I also realize that if they are going to spend the rest of their lives in western Canada, when will they have the opportunity or need for this beautiful language? I would encourage them, as well as other young people, to study another language which would be beneficial to them – Japanese, Spanish, Chinese – because of our geographical situation.

In conclusion, Mr. Chairman, I feel we should not concede to Quebec everything so that they can stay in Confederation, but they should be able to protect and preserve their culture, and not at Canada's expense. It is my ultimate hope and prayer that we can stay together as one nation, and I hope Quebec realizes, too, that they will be able to protect and preserve their distinct characteristics within the Canadian Confederation rather than being isolated in the North American continent by the English-speaking dominated population.

Thank you very much, Mr. Chairman.

MR. CHAIRMAN: Thank you, Jack.

Yes, Gary Severtson, Bob Hawkesworth.

MR. SEVERTSON: Thank you, Mr. Chairman.

Thanks for expressing your views. You said you came as an individual, and we've received a lot of individuals in this last week of hearings. I appreciate your views on multiculturalism.

We've heard the same views from Albertans from right around the province. One question I would like to ask you: in your reference to the majority vote, having, say, a runoff, do you say it has to have 50 percent of the total voters or 50 percent of the votes cast?

9:42

MR. RAMJEEAWON: Votes cast. I might add that I think in France you have to vote. If not there's a fine, if I'm not mistaken. I think if you have 70 percent of participation, out of the 70 percent you get 50. It's votes cast that I mean.

MR. SEVERTSON: Okay, fine. Thank you for coming today.

MR. CHAIRMAN: Bob.

MR. HAWKESWORTH: Thank you, Mr. Chairman. You gave us a good defence or support for this runoff idea that France has adopted. Have you given some thought to what other European countries have done in adopting proportional representation as a way of making up their legislative bodies? Have you looked at that? What are your feelings about proportional representation?

MR. RAMJEEAWON: Well, I guess to be honest with you, I'm not specifically looking at that, but talking to people, I think that would be another alternative. But I strongly believe that we have the 50 percent plus 1.

MR. HAWKESWORTH: Sure. Okay. One other question. As far as Quebec maintaining its distinctiveness in culture and language, what would your thoughts or feelings be if we were to leave the question of language up to each individual province so that in Alberta how we manage language policy would be a provincial question and it would be up to Quebec to decide what their language policy would be? Would you be supportive of that, or is that not quite the answer either?

MR. RAMJEEAWON: Well, I don't know if you can do that. If I understand correctly, Manitoba is a bilingual province constitutionally, so I don't know if you can do that. What I feel is that if a majority of French-speaking people are in Quebec, then they should have control. If there are French-speaking people in Alberta, I guess by the Charter of Rights you are entitled to some protection on that. But no, I feel Quebec should protect the culture they have because they are on the North American continent. I feel they probably are the only one that should protect that.

MR. HAWKESWORTH: Okay. Thank you.

MRS. GAGNON: I guess, Jack, if anybody will embody the new Canadian, it will be your children, whose father is from Mauritius and mother is Canadian Mennonite and they go to a Catholic French school. I'm very interested in your comments about federal multicultural policy, especially the one that immigrant women need additional help to learn the language because of problems of isolation, I guess. They can't become Canadian because they're isolated because of the language barrier. Could you expand on that and on what kind of program might be developed?

MR. RAMJEEAWON: Well, you know, I have around 20 members of my family in Calgary here, and except for my wife,

everybody else was born outside Canada, and quite a majority of them are women. Many people have asked me: does one generation – you know, like the children we engender – change this? It doesn't, because the way we are raised they don't tend to go out. I think what I want to say is that if you create an English-speaking program to learn the English language in Alberta, that will help them to go out and know their right, the life-style we have on the North American continent.

MRS. GAGNON: Just quickly. If we as a committee, let's say, would come out and say that we challenge present multicultural policy, without a lot of explanations and so on, how can we avoid being called bigots? You know, there's so much misunderstanding about this policy: what isn't working and what is, the accusation that it's used by politicians to buy votes, and that kind of stuff.

MR. RAMJEEAWON: Well, I think you will create some anger, because the policy has been there; to dismantle that now would be a problem. But as a politician you are the one that is making the decision, and you should make a decision that is good for the province and for the country. You should say that you come to this country and you have to be Canadian; you can't be a hyphenated Canadian. I'll tell you, when somebody at the dinner table says to me, "You know, this is what's not good in Canada," I say to them, "If you don't like it, go." That doesn't mean Canada is perfect. I came here; if I see that something is not good, I try to contribute. One thing is that I suppose you're going to upset some people. But how would you do that now? Like I said, we have to make ourselves Canadians, and how we do that is: don't make each of us pull our own way. We keep doing that. As you said, politicians probably are the culprits in this.

MRS. GAGNON: So intercultural things more than multicultural.

MR. RAMJEEAWON: Yes. If I want to preserve my culture, it's up to me. I can raise money and do that on my own. I think what government should do: "Oh, we are proud you belong to this part of Canada's mosaic, but you are Canadian."

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Thank you very much. Jack, you mentioned recognition that Quebec is indeed a distinct society, and you briefly mentioned Meech Lake. Of course, that is a dead horse today, and we're looking for a new way to ensure our relationship with Quebec. Would you have supported Meech Lake and its distinct society?

MR. RAMJEEAWON: Well, I thought it was a stepping stone. I would have supported it, and I did support it.

MR. CHAIRMAN: Okay. Well, it's interesting to find somebody who did. Thank you very much. I appreciate very much your presentation.

Jim Prentice. Good morning.

MR. PRENTICE: Mr. Chairman, good morning. Do the committee members have my brief? I submitted it relatively late yesterday. If not, I have copies.

Mr. Chairman, I appear today as an individual Canadian. These are my personal views and not the views of any organiza-



tion in particular. I am not an expert in constitutional law, although I am a lawyer, nor am I yet bilingual. I point out by way of background some of my experiences as a Canadian living and working across this country. I point out in particular that I care deeply about Canada and I regard Quebec just as I regard Alberta, as a very important, special, and inseparable part of our country.

I compliment the committee on an excellent discussion paper and on this very important process. The comments I would like to address are raised under five separate headings: first of all, comments on the status quo; secondly, the role of Alberta; thirdly, the specific subject of Quebec – and my comments in that regard focus particularly upon the distribution of powers, which seems to me to be the battleground that's emerging, if you will; fourthly, Senate reform; and fifthly, aboriginal self-determination.

If I could turn first of all to comments on the status quo, I would hasten to point out that I am not a defender of the status quo. Clearly, very fundamental changes to our political system are required, and I've not lost sight of that fact. But I think it's very important for us as Canadians to focus on what is right with this country and to continue building what we have been building. In my view, Canada has developed a very complicated and sophisticated and remarkably successful federal political system. That is something we should not lose sight of and something we should continue to build upon. Executive federalism in this country has been very successful, and the British North America Act, while not perfect, has proven to be a very successful and flexible political instrument.

9:52

I make these comments because certainly early in this debate about Canada and the role of Quebec and how we're going to achieve a constitutional solution I believe people were losing sight of the fact of what a truly remarkable country we have and how important it is to build upon the success we've had in the past.

In terms of where this committee is headed and in the context of the status quo, there are a very, very large number of issues raised in your discussion paper. I think the challenge for the committee will be to develop an agenda and also to attach a time line to that agenda. Very clearly – and it's evident to me just in the brief time I've been here this morning – it will not be possible for us as Canadians to achieve a solution to all the constitutional reforms which are being advocated before you. Very clearly, it's going to be necessary to prioritize those reforms and first of all deal with the fundamental questions we have to address and, secondly, develop an agenda of issues which will have to be resolved realistically over the coming decade. I think it's very important that we keep that in context.

The role of Alberta to me as an Albertan is something very important. This committee received a very thorough submission from Dr. Meekison, which I have read, wherein he outlined the important role Alberta has played on the national stage in dealing with constitutional matters. I think leadership from Alberta is now more important than ever, and I would like to emphasize that. This province has a respected history in dealing with constitutional issues. In the context of Senate reform, which is something I want to address in particular, I think we are respected as an independent advocate of reform. It's also important that over the past many years Alberta's role on the national stage as a committed advocate of a strong Canada but also of strong provinces is something that is well known and respected elsewhere in Canada. I also think it's important that

there have been similarities over time between certain positions advanced by the province of Quebec and certain positions advanced by the province of Alberta, and often at the constitutional table there has been an alliance of sorts. That brings to Alberta a very special credibility on the national stage, particularly at this point in time when the issues concentrate to some extent upon resolving the Quebec question.

The third area I wish to address is the subject of Quebec. It seems to me the issue is this, Mr. Chairman. How do we bring that political community, the province of Quebec, into a full, proper, and appropriate constitutional relationship with the balance of Canada? What I have set forth in my paper is my view that in looking at the current problem, it has to be examined in its historical and political context. We have been searching in this country for an appropriate constitutional relationship with the province of Quebec since the failure of the Victoria Charter in the early 1970s. The political circumstances in Quebec following the Quiet Revolution in the 1960s have given effect to enormous change in that province. Really, we have been struggling unsuccessfully since that time to properly achieve a constitutional relationship with that province.

I've quoted from the Pepin-Robarts task force on Canadian unity. Their report was entitled *A Future Together*, and they had several interesting things to say. This report was released in January of 1979. The committee noted:

In our judgment, the first and foremost challenge facing the country is to create an environment in which duality might flourish; the second is to provide a fresher and fuller expression of the forces of regionalism in Canada's constitutional system and power structure.

They go on:

Balance is of critical importance in all free societies. It is doubly so in a federal and culturally plural state; balance between "province building" and "nation building," between the construction of a distinct society in Quebec and its membership and participation in Canada as a whole.

I was a supporter of the Meech Lake accord, Mr. Chairman. I spoke in public on several occasions in support of that accord. It was a great disappointment to me that it collapsed as it did.

The current difficulties with Quebec – if you read the Allaire committee report, which I know committee members have, the current issue now is focused upon the distribution of powers contained in our Constitution. In my opinion, the appropriate balance between the interests of Quebecers and the interests of all Canadians can be found in acceptance of the concept of varying status federalism. In my mind this will require some refinement of the distribution of powers in our Constitution as between areas of federal jurisdiction, provincial jurisdiction, and concurrent jurisdiction.

To me the solution in many respects – and I believe constitutional reform should take place incrementally – lies in a gradual and cautious expansion of the areas of concurrent jurisdiction. Clearly there will be areas of exclusive federal jurisdiction, and I've outlined in my submission what I think those should be. They focus in the main upon federal jurisdiction over our integrated national economy and federal jurisdiction with respect to Canada internationally. As well, clearly there will be areas of provincial jurisdiction. Control over natural resources is the obvious example. But the solution in my mind between the interests of Quebecers and the interests of the remaining provinces in Canada lies in a gradual expansion of concurrent areas of jurisdiction. In my view, the distribution of powers set forth in our existing Constitution is one which was well suited to the time but is not well suited to current circumstances. One need only look at, for example, the current topic of the environ-

ment. The environment clearly doesn't show up in our Constitution; it clearly is an area of concurrent jurisdiction. There is a valid federal role, a valid provincial role, and clearly a valid municipal role to be played in terms of dealing with our environment. So it is an area of concurrent jurisdiction.

As a Canadian who has lived and traveled across this country, I know there are remarkable differences in Canada. I do not see these differences as a threat. Rather, I see them really as a tribute to the success of the Canadian federal system. As an Albertan, I do not feel threatened or diminished in any way by the province of Quebec. I wish them well; I wish they will continue to be part of Canada. How Quebec occupies constitutional compartments which have been allocated to it is not something I am concerned about in the same sense that how Alberta occupies those constitutional compartments is something which is different.

In discussing the expansion of areas of concurrent jurisdiction, there are several important considerations that have to be addressed. There are those that argue that this course of action will lead to a disintegration of the country because inevitably it will lead to vast inequities as between different provinces. I believe that in a healthy federal state – and I've addressed this on page 9 of my submission – this will not necessarily be the result. First of all, the system of equalization payments we currently have must continue. Equalization payments will eliminate for the most part unacceptable inequities that exist between the have and the have-not provinces.

Also, I see an important role for the federal government in areas of concurrent jurisdiction in defining national standards and co-ordinating activities which are taking place across the country but by and large allowing provincial primacy in those areas of jurisdiction. I go back to my thesis that strong Canadian provinces will lead to a strong country, and that is something that is not to be viewed as a threat.

With respect to Senate reform, my submissions are brief. I would not want to be misinterpreted in that regard. I believe there are two fundamental constitutional matters which have to be addressed immediately in Canada. The first is a realignment of the distribution of powers so as to fully bring Quebec back into Confederation. Secondly is Senate reform. I believe our government should continue to press for Senate reform. I believe it is fundamental to this country and, as a legitimate western issue, is something which must be addressed immediately in the current round of constitutional discussions. I don't believe that any simple formula will necessarily result at the end of the day. It's my view that this committee and ultimately the Alberta government should pursue what is achievable and that we should negotiate the best arrangement which is possible and that our objective should be Senate reform which enhances the effectiveness and visibility of regional representation in our federal system of government.

#### 10-02

My final comments are directed towards aboriginal self-determination. Again, I regard this as a very pressing issue, an area which requires priority. At the present time aboriginal Canadians are moving to their rightful place in Canadian society. I believe that leadership from Alberta, having regard to some of the achievements which we have in this province relative to dealing with our native people, is important on the national stage. Our constitutional development should proceed in tandem with legislative reform dealing with native matters; in particular, extensive legislative review of the Indian Act. The Indian people occupy a special constitutional role in this country

by reason of our history, and it is something that we should not lose sight of in this period of constitutional revision.

Those, then, are my submissions, Mr. Chairman.

MR. CHAIRMAN: Thank you. You've given us an extensive brief, which we will read and which we will also share with the members of the other panel. They are receiving information, obviously, right now in Edmonton, and we're making sure that we share that information with our other colleagues. I'm sure there are some questions that have arisen.

Yolande.

MRS. GAGNON: Just to deal with the Senate. It looks to me by reading a number of publications and articles and so on as this evolves that those three Es are, you know, going down the road. I believe that Joe Clark has said that the Senators should be appointed by the provinces, so there goes the elected; others are saying it should be by region, so there goes the equal; and Mr. Horsman has indicated that the effective, or what powers they would have, has been one of the major issues of contention. Is there another term we can find that would maybe qualify or explain what this can achieve without sticking with the triple E idea?

MR. PRENTICE: I believe that the triple E Senate is a very good place to begin in looking for the perfect solution. I have historically supported the triple E Senate. Whether it is politically achievable in this country at the present time I think is the question, and I am told by people whom I respect that that is doubtful. I would like to see our government pursue Senate reform and be flexible in terms of the type of reformed Senate which results. But what is key is that there be a reformed Senate where there is an effective voice for regional interests in national decision-making. As I say, there are two fundamental political questions at the moment; that is one, and Quebec is the other, and they have to proceed concurrently.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: John McInnis.

MR. McINNIS: I just want to be sure that I understand the model of concurrency that you're talking about. I think it has a considerable amount of merit because, if nothing else, it does reflect the reality of Canada, that so many of the jurisdictions are not crystal clear in terms of whose responsibility, and I think environment is a good example. It appears to me to fall under at least 10 different headings among the two levels of power. If I understand what you're saying, the provinces would have primary responsibility to administer in areas of concurrent jurisdiction, that there would be federal paramountcy in the sense that national standards could be set which the province ought not to fall below, but the provinces could bring in measures which exceed or go above and beyond national standards, if that was their wish, in the areas of concurrent jurisdiction. Am I following it correctly?

MR. PRENTICE: Yes. I see strong provinces administering, developing, and implementing their programs within their boundaries beneath an umbrella of a national government which defines standards, ensures that there is financial equality amongst the provinces, but doesn't interfere with the primary provincial jurisdiction in those areas.



MR. McINNIS: So the national standards would be a minimum; provinces could exceed those if they so wished.

MR. PRENTICE: Yes.

MR. McINNIS: Thank you.

MR. CHAIRMAN: Fred Bradley.

MR. BRADLEY: Thank you. Obviously, you've given a lot of thought in terms of the presentation that you've made and raised a number of different ideas and suggestions. You've commented in particular on the role of executive federalism and the arrangements whereby provinces and the federal government co-operatively can enter into agreements, whether it be through federal/provincial conferences or interprovincial agreements or different arrangements. Currently in terms of setting national standards, there is the mechanism in place through executive federalism and provincial ministers' meetings to arrive at these standards. Do you see the standards being set unilaterally by the federal government, or in a co-operative mode by agreement with the provinces? Which is preferable in your mind?

MR. PRENTICE: That's a very good question. If you move towards acceptance of concurrent powers, in my view it places pressure upon executive federalism. Executive federalism becomes really key to working out those national standards. In my view, concurrent powers would expand the role of executive federalism, and I think that is good because I think we have a remarkable history of successful executive federalism in this country. I mean, there have been disasters, but by and large it has worked remarkably well. If you have concurrent powers and if there's going to be a commitment to fiscal responsibility and streamlined government, it will be imperative that all levels of government work together to ensure that programs are administered efficiently and that national standards which are achievable are defined.

MR. BRADLEY: I have a second question related to the areas of provincial jurisdiction. You say that the province should be provided sufficient fiscal room in areas where they have primary jurisdiction and they should have a concomitant ability to raise sufficient revenue to pay for these programs. There has been concern expressed about the use of the federal spending power to achieve objectives within areas of provincial jurisdiction. Do you have any comment on the use of the federal spending power? I know Meech Lake had a limitation on that. Do you support that view, or do you have a different view on that?

MR. PRENTICE: I would rather see us do directly what we are trying to do. The difficulty with shared-cost federalism is that the federal government by controlling the purse strings effectively has control over the types of programs that individual provinces administer, so we are in a sense doing through the back door what we don't do through the front door. I think the better way to deal with it is to have it on the table, have these areas as areas of concurrent jurisdiction, work together to define national standards, and then ensure that there's adequate, as you say, fiscal room for each province to fulfill their obligations.

MR. CHAIRMAN: Bob Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. I really appreciate the brief you've presented this morning, Jim. It's I

think very thoughtful and in an area where we're struggling to find some alternatives. You mentioned, quite correctly I think, that the failure of the Meech Lake accord has sort of created this benchmark against which our future proposals to Quebec are going to be measured, and it may have created the minimum that would have to be provided for Quebec to sign the Constitution, become part of our constitutional family. How would you characterize what you're putting forward as being different? Maybe this is really what your answer to Mr. Bradley was about. How is this proposal different than what was on the table with the Meech Lake accord?

MR. PRENTICE: In terms of this proposal, you're speaking of my suggestions?

MR. HAWKESWORTH: Yes; your suggestions.

MR. PRENTICE: I think it's quite different. I think the requests that were made by Quebec and satisfied in the Meech Lake accord were very minimal. There were, I think, only symbolic requests which were sought, and some constitutional expert has said that only in Canada would codifying the status quo create such an enormous problem. I don't think that a lot was asked for in the context of Meech Lake.

Now, if you have regard to what's developing in Quebec now, in particular the Allaire committee report, they of course are seeking a very fundamental realignment of the distribution of powers. I think the concept of concurrent powers gives us a way to respond to Quebec. Because some of the areas which Quebec is saying should be areas of exclusive provincial jurisdiction - I think the other provinces in Canada rightfully feel that it should be areas of concurrent jurisdiction. That will perhaps give Quebec the flexibility to explore where it is that they want to go, and it accords the same ability to other provinces. All provinces in that sense are equal. Alberta would have the same access to areas of concurrent jurisdiction as Quebec would have. Perhaps Quebec would go further in those areas than any other province, but I see that as part of the healthy ebb and flow of Canada and the type of federalism which we've developed in this country over the past 125 years. I think in Quebec even now you can see the debate changing, the focus changing. I think there is increasingly less interest in independence and more interest in some sort of a federal, balanced state.

10:12

MR. HAWKESWORTH: Just one quick question in follow-up. One of the concerns with the Meech Lake accord was the rigid amending formula that was created, with every province having the requirement of unanimity in some key areas, not all areas but in some key areas, of the Constitution. Have you got some thoughts on that? Was that acceptable, or is there some other way that we could sort of give Quebec assurances over its vital interests without hamstringing the entire amending process in the future?

MR. PRENTICE: That's a difficult area, of course. I'm waiting with interest to see what results from the federal House of Commons' committee which is looking at the amending formula. Clearly, the formula that was contained in Meech Lake was the best that was achievable at that time. Subsequent events proved that it was not perfect, but I don't think it's clear yet what is achievable in that regard.

MR. HAWKESWORTH: Thanks.

MR. CHAIRMAN: Thanks very much, Jim. You've given us a very thoughtful brief. Just one quick question. We've heard suggestions that the parliamentary system should be scrapped and another form brought in and that provinces with existing boundaries should also be blended in. Are you satisfied with the status quo relative to the parliamentary system and the current boundaries of provinces?

MR. PRENTICE: Dealing with the provinces first, I am satisfied. I don't think a federal government in a country as broad and diverse as this country can possibly administer the government to the people as sensitively as is required. You clearly have to have provinces involved, and I think the provinces which we have by and large work very well. I'm very proud to be an Albertan. I know people in Quebec are very proud to be Quebecers. I hope that we can all see ourselves as Canadians and work together. I support the provincial boundaries we have, and I hope that in time we will bring in new provinces which are currently territories.

With respect to the parliamentary system I support our parliamentary system of government. I'm not in support of a republican system of government. I do believe that our national Parliament requires reform in the sense that the second Chamber, the Senate, must be made more effective, and it must be made an effective voice for regional interests. But I think that once we have done that, many of the problems we see and many of the issues you have identified in your report will begin to melt away because the Senate will become the effective voice for the resolution of those issues.

MR. CHAIRMAN: Thank you very much.  
Michael Zwack.

MR. PRENTICE: Thank you very much, Mr. Chairman.

MR. CHAIRMAN: Thank you.  
Good morning.

MR. ZWACK: Good morning. Mr. Chairman, members of the committee, my name is Michael Zwack, and as president of the Alberta Liberal Party I appreciate the opportunity to share with the committee some thoughts about future constitutional directions for Canada and Alberta which have been developed by the Alberta Liberal Party.

Let me begin by saying that the future of our country and of our province is far too important to allow partisan motivations to colour the positions which are taken in this process. The ideas which I am about to contribute were developed not by the need of the Alberta Liberal Party to find a position unique from that espoused by our present government but instead were developed by soliciting, listening to, and analyzing the reaction of Albertans from all walks of life and persuasions to the ongoing public debate, and by then confirming the conclusions the party had drawn from their observations through the gathering of some empirical evidence. I feel so strongly that altruistic motivations must dominate this process that had our ideas been developed in any other manner, I would not have volunteered to present the position of my party. If the fact that this is my party's position will somehow detract from the weight of this submission, I state that I also share these views as an individual.

Canada's Constitution and Charter of Rights and Freedoms was established in 1982. While not perfect, it does provide us with a sound foundation that can be developed. The Alberta

Liberal Party feels that it was unfortunate that the province of Quebec did not sign the 1982 agreement, and since it is important to all of Canada that Quebec feel a part of Canada, we therefore must do whatever we can within certain parameters to accommodate Quebec. While I believe that we may need to discuss other issues with the people of Quebec to allow them to feel more a part of Canada, the Alberta Liberal Party cannot agree that one province should have special status or more rights than any other province. Yes, the French language and culture is unique and special, but the maritime provinces, the north, other provinces including Alberta have unique histories and should receive equal status. Again, we may have to make some allowances for historical differences, but the premise of equal provinces must be the overriding factor.

Currently our federal system limits regional impact on national decision-making because we have one national elected House that is weighted in favour of central Canada due to the principle of representation by population. We believe strongly that if provinces are to have equal status, there must be some form of equal representation in Ottawa. It is vital to the provinces with smaller populations and ultimately to the long-term survival of Canada as a whole that we have an equal, elected, and effective Senate. The democratic principle of representation by population will continue to be practised in the House of Commons, while the upper House would uphold the concept of equality of all provinces.

A logical extension of the notion of equality between provinces is the notion that each person in Canada have equal rights wherever she or he may live. Now I'll raise three points that address this fundamental belief.

First, the Charter of Rights and Freedoms must be paramount in any constitutional discussions or changes. Each Canadian's human rights must be protected above all other considerations. A nation's strength can be most clearly judged in the way it treats its minorities. Canada has come a long way in this regard, but we can never compromise this principle.

Second, in order for each Canadian to have equal access to the services and institutions of this great nation, the federal government must take the lead in establishing and maintaining national standards in the areas of health, education, and social welfare. If we are to provide each Canadian with equal opportunity to participate in society, the child in Corner Brook, Newfoundland, must have access to the same standard of education as the child in Rosedale. This can best be achieved through the establishment of national standards. It is ironic that by 1992 it will be easier for a person trained in France to move to Germany to work than it is presently for a person trained in the maritimes to work in the west. It's important to the maintenance of equality for all Canadians that interprovincial barriers to mobility, trade, and employment be completely eliminated.

Third, on the issue of transfer payments it is critical to remember that our Confederation is built on the understanding that over time some provinces will be wealthier than others, that there should be some method of the wealthier provinces helping the less affluent. The Alberta Liberal Party believes that this practice is simply nation-building. It's responsible and must continue. Over the past two decades Alberta has been on the giving end, but we should not lose sight of the fact that someday we could be on the receiving end.

The ties which hold this country together are becoming more and more tenuous with the passage of time. The significant interprovincial trade barriers persist. Provincial governments consistently promote initiatives, oblivious to the long-term

impact on the country as a whole. I can give one example. We're the source of amusement to the world economic community at times as trade representatives from various provinces run into each other at international trade conferences. Provincial governments continue to clamour for increased powers in many areas without completely endorsing the concept of minimum national standards.

10-22

In summary, what the Alberta Liberal Party is proposing, based upon what the people of Alberta are telling us, is that we take a step back, look at the big picture, and try and implement the following: an elected, equal, effective Senate; a constitutional package which enshrines equality among all provinces and all Canadians; a continuation of the stability offered by a system of equalizing transfer payments; national minimum standards in the areas of health care, education, and social services; and a dismantling of provincial trade barriers. On the procedural side, let these ideas be debated and finally implemented by the people of Canada through the mechanism of a constituent assembly.

I'm going to digress from my prepared text for a moment and say that all the ideas that you're hearing and the contributions that are being made by the people of Alberta are all good ones, but if they are finally implemented by the politicians at the national level, at a first ministers' meeting or that type of situation, there will always be some disgruntlement with the decision that's made. But if the people of Canada come together and finally make the decision as to what they want their country to look like, and this includes the people of Quebec, we can put the internal squabbling and power brokering to rest for a long time.

Let us remember that we are Canadians before we are Albertans. A strong central government is critical if we wish to achieve those things which I've just mentioned. The strategy of systematic decentralization of political power in our country will only lead to further fractionalization and a continued decline in our collective fortunes.

I've one last issue to raise, and I've left it to the last not because it's less important but rather because I believe it's urgent and deserves underscoring. Canadians from coast to coast have been expressing remorse and sadness about the way we've treated the citizens of our First Nations. It is unconscionable that we have left the tragic state of affairs this long, and no constitutional reform can be meaningful without the inclusion of our First Nations in the discussions and without addressing their very valid concerns.

Thank you again for this opportunity.

MR. CHAIRMAN: Thank you, Michael. Questions?

Yes, John McInnis, then Gary Severtson.

MR. McINNIS: Can you clarify, Michael? Is this an official submission on behalf of the Liberal Party, or are you speaking as an individual giving your own ideas?

MR. ZWACK: It's an official submission on behalf of the party.

MR. McINNIS: I got kind of confused, because we had one yesterday from the University of Calgary Liberals. I take it they're on their own. Yours is the official party submission.

MR. ZWACK: That's correct.

MR. McINNIS: Two questions about what you said. One, the constituent assembly: is there any position on how big an assembly and how the members of the assembly would be chosen?

MR. ZWACK: There isn't as yet. Discussions are ongoing on that point. There are several views. There are some views that the percentage of elected officials should be kept to a minimum and that the people of the various regions of the country should be electing their representatives to attend these constituent assemblies. But no, there is nothing concrete as yet.

MR. McINNIS: So it might be elected; it might be appointed; it might be a combination of the two.

MR. ZWACK: That's correct.

MR. McINNIS: Secondly, I wasn't quite clear what you were saying about aboriginal people. What I heard you say was that their needs have to be considered this time around. Are you thinking that that would happen through the constituent assembly, or were you actually saying something more than that in terms of how aboriginal issues come into the process?

MR. ZWACK: What I'm saying is that there's a presumption that the aboriginal peoples will have a very strong voice in a constituent assembly type of scenario. The people attending that type of assembly will want to take all these matters into consideration. There's a very high probability that they'll be dealt with adequately in the eyes of the First Nations at this type of situation.

MR. McINNIS: It's difficult for me to understand how you'd have a process where all of these issues would be decided but start off with so many issues already decided in terms of special status, national standards, equalization, trade barriers, all of these other things. How would you see that working? Would you be content just to let the constituent assembly go at the problems brand-new, or are you saying that these other points in your submission are sort of preconditions and then the constituent assembly has to accept those and then work from there?

MR. ZWACK: No; your former assertion is the correct one. The people of our country must ultimately decide what their document, the Constitution of this country, is going to say. The ideas that the Liberal Party has developed have been developed by listening to the people of the province and soliciting their opinions, and some further thought has gone into it in trying to determine what the ramifications of them would be. We're submitting that this would be the optimum scenario in our eyes at this point in time, but we cannot impose anything on the people of the country anymore.

MR. McINNIS: Finally, would you support having the results of the constituent assembly ratified under the existing amending formula, or a referendum or some other type of a ratification process for the outcome of a constituent assembly?

MR. ZWACK: I don't know if the party has a position on that. I can answer that my personal view is that a ratification under the existing amending formula would be adequate, but that's just a personal view of mine.

MR. McINNIS: That would essentially be the same as the Meech Lake accord: unanimity, all provinces and the federal government.

MR. ZWACK: I haven't given it a great deal of thought; I'm sorry.

MR. McINNIS: Okay; thank you.

MR. ZWACK: Thanks, John.

MR. CHAIRMAN: Gary Severtson, then Jack Ady.

MR. SEVERTSON: Thank you, Mr. Chairman. Michael, I'm on the same issue of the constituency assembly. Presently, under the '82 Constitution we've got a mechanism to amend the Constitution, so would we have to go to that group to approve that process of constituent assembly, to give them the power to amend? I don't know how you would start off with a constituent assembly. Who decides that we go to a constituent assembly? Do we give the constituent assembly the power to do all the Constitution? We'd have to get unanimity or the amending formula at present to give that body the power, or how do you see it?

MR. ZWACK: Admittedly, there are some procedural difficulties with this and the concept is not concrete in how it would work on these technical aspects. What I would say is that it's obvious that through the Meech Lake process and beyond there's a need for Canadians to speak out and develop their own Constitution. I think if that type of assembly was endorsed by the first ministers of our country, that assembly occurred, and there were some decisions made at that assembly, it would behoove our first ministers and our governments to ratify the results of that assembly.

MR. SEVERTSON: So I guess you say that the way to amend the Constitution is to get all the first ministers together and ratify the constituent assembly process and give them the power to do it. Who then would draw up the boundaries? That in itself, away from all the other issues you mentioned, would be quite a debate, just to accomplish that feat.

MR. ZWACK: We're facing an enormous challenge, absolutely. The constituent assembly may not be the way this ultimately gets settled, but the point I'm trying to make is that the people of Canada have to feel some ownership in their constitutional document, and the only way to do that is to really put them into the process of actually making decisions.

MR. SEVERTSON: The last one, Mr. Chairman. Don't you feel that our present elected assemblies and the federal government are chosen by the people now?

MR. ZWACK: There's a very real feeling among the people of Canada that the views of the Canadian people were not represented at the last round of constitutional talks, and I think that's where this idea stems from.

10:32

MR. CHAIRMAN: Thank you.  
Jack Ady.

MR. ADY: Thank you. My questions centre around your position on national standards. Just to use the two specifics of education and health care, the federal government certainly has some involvement in setting the standards of health care, yet we see them withdrawing their support financially. I think I'm on safe ground to say that it doesn't really matter what political stripe is in office in Ottawa, we see this tendency. So this is nonpartisan. How would you propose to ensure that if the central government is going to be allowed to set the standards, they continue to pay a reasonable share of the costs, in view of the trends that we're seeing?

MR. ZWACK: Once we have a new constitutional document in place and some of these other things enshrined in it, my hope is that there will be a new spirit of co-operation and that the agreement of the provinces and the various jurisdictions of the country to maintain a national minimum standard will obviously have to be on the basis that they will be adequately funded by the federal government.

MR. ADY: Okay. Now I want to touch on something that's really sensitive and is probably very dear to all of us, and that has to do with our health care system and probably our advanced education system and the system that's been set up on social services across Canada. We've had people come before us in the last week who have talked about the fact that we do have these very good services in Canada and specifically in our province. However, in the process of the last 15 years, as they've come into place, the federal government has amassed a \$400 billion debt, and there is a cumulative debt of probably another \$200 billion across Canada at provincial levels in an effort to support the social safety network that we have. How does your party propose to alleviate that circumstance with the process that you'd put in place?

MR. ZWACK: I'm not sure I understand the implication of your question. There are financial constraints, obviously, and you're talking about: how do we ensure that there are national minimum standards with respect to health care?

MR. ADY: Well, I'm talking about the fact that we have a very desirable and rich social network, yet we find ourselves buried in debt in this country. Do you not think that in some way . . . Well, let me put it this way. Some presenters have come before us and said there has to be a rationalization. Does your party see a need for that? How are we going to pay for it, taxes being where they are and probably cannot rise much more on the Canadian people?

MR. ZWACK: I fear I may be crossing over the boundary and into some partisan policies, and I'd just like to reiterate my understanding of the Alberta Liberal Party caucus's position on health care and that type of thing, and that is that the existing services can be maintained for all the people of Alberta and the people of other provinces if they're simply administered more effectively. There's a myriad of imaginative ways available to cut down on the costs and still deliver the same service to the people of the province, and I would hope that the dollars don't ultimately prevent us from imposing these types of national minimum standards.

MR. CHAIRMAN: Thank you, Michael. You've been asked a number of questions. I think everybody agrees that we've got to

dismantle interprovincial trade barriers. Are you a lawyer?

MR. ZWACK: Yes.

MR. CHAIRMAN: Well, you'll appreciate, then, that in Quebec there's a French Civil Code in effect and the rest of the provinces operate under the British common law and that that in itself creates a form of interprovincial trade barrier relative to a person trained as a lawyer in the British common law system not being able to automatically move into the Quebec legal system and vice versa. I doubt that you're recommending that we eliminate either the French Civil Code in Quebec or the British common law system in the other provinces. Would you, then, recognize that there are going to be some things like that which can't be changed in terms of the free mobility of people throughout Canada? That's just one example.

MR. ZWACK: There are going to be some restrictions, yes.

MR. CHAIRMAN: But we want to minimize them as much as possible?

MR. ZWACK: Absolutely.

MR. CHAIRMAN: Okay. Thank you very much.

We're going to take a break. I think everybody could use a stretch. The next presenters after the break will be the University Women's Club of Calgary.

[The committee adjourned from 10:37 a.m. to 10:48 a.m.]

MR. CHAIRMAN: I'd like to commence once again, if I could please have your attention at the back of the room.

The University Women's Club: Heather Peirce is presenting on behalf of her fellow members.

MRS. PEIRCE: Hon. members of the Constitutional Reform Committee of Alberta, on behalf of the University Women's Club of Calgary, a member of the Canadian Federation of University Women, I am presenting this submission in response to your discussion paper. We have it divided up into several sections. I'm going to be speaking on many of the issues that have already been addressed this morning.

The current system of government that exists in Canada today provides enough flexibility for Alberta to succeed as a province. Because of great technological change and the need for a global perspective, matters that were once strictly of local concern – such as environment, education, and economics – are now of national importance. The functions that are most appropriately performed by the federal government include the establishment of minimum standards in such areas as education, environment, and health care delivery. This still leaves the provinces with considerable flexibility to enhance these minimum requirements.

With the increasing mobility of the Canadian population, we believe such minimum standards are necessary. No province should be able to opt out of these standards, and all provinces should have identical responsibilities for the delivery of such services. If a province decides to leave Confederation, it should no longer have any ties, economic or otherwise. That province should also pay off its share of the national debt. The division of power between the various levels of government is confusing to the population at large and political representatives as well. There has to be a careful consideration of division of power, with the realization that some jurisdictions must remain as

shared responsibilities. These would include agriculture, forestry, immigration, fisheries, and trade.

As a group that is national in scope, we believe that a balance must be maintained across the country. The wealthy provinces need to help the poorer provinces to ensure the same quality of life for all Canadians. Equalization payments are necessary. The federal government should be allowed to attach certain conditions or minimum standards to federal transfers. National standards would not hamper the ability of the provinces to respond in a timely fashion to local needs and interests.

Interprovincial barriers to trade should be eliminated. Our concern is that it's easier to trade with our U.S. neighbours than it is with our provincial counterparts.

I'll be brief about this one. We do think that Senate reform should remain a priority for the government of Alberta. Quebec should be allowed to protect its cultural and linguistic traits that make it a distinctive part of Canada. However, we want Quebec to follow the minimum federal standards mentioned earlier, as should every province. These cultural and linguistic traits can be better protected in a strong federal system.

Any look at Canada's structure must consider the needs of the native peoples. This past year has vividly demonstrated the problems that can occur when questions of native government and land claims are ignored. We uphold the basic rights of native peoples as contained in the Charter of Rights and Freedoms. We feel that negotiations with our native peoples to resolve their grievances should be a priority.

All decisions taken at First Ministers' conferences should be discussed by provincial Legislatures and Parliament. These conferences should be in an advisory capacity only.

The use by some provinces of the notwithstanding clause concerns us, as it would enable either a province or the federal government to override the rights included in sections 15 and 28 of the Charter of Rights. It is important that the next constitutional amendment include explicit provisions guaranteeing equality rights not only for women but also for aboriginal peoples, persons of Canada's multicultural heritage, and the mentally or physically disadvantaged. As a democratic nation our constitutional rights are absolutely essential if we are to maintain our individual rights and freedoms.

As to the means of public participation in constitutional change, we question the value of a constituent assembly. For such an important issue as the amendment of our Constitution, the elected representatives provincially and federally should vote in a nonpartisan manner, reflecting the wishes of the majority of their constituents. Forums such as this are an effective means of encouraging public participation and of informing our public officials about the attitudes of their constituents. A referendum on constitutional change is also not an appropriate approval mechanism in a federation as diverse as Canada. Costs are high, a strong lobby group can sway voters, the way the question is worded is often leading, and the ultimate decision still rests with the larger, more populated areas. A joint federal/provincial commission should review any proposed amendment.

To reiterate, we encourage Alberta to recognize the value of a strong federal system that allows for regional flexibility. We appreciate this opportunity to enter into the debate on Canada's future.

MR. CHAIRMAN: Thank you very much. Questions?  
John McInnis.

MR. McINNIS: Mr. Chairman, I have a question with regard to the question of national standards.

MRS. PEIRCE: Yes.

MR. McINNIS: Do you see that the national standards should be set by all of the provinces getting together and doing so if they wish, or are we actually talking about the federal government setting strong standards on behalf of all Canadians?

MRS. PEIRCE: I think the tone of our whole presentation is that any of these decisions that are made would be made on a federal/provincial basis. All right? Does that answer your question?

MR. McINNIS: In the model of what they call executive federalism?

MRS. PEIRCE: Yes.

MR. McINNIS: Thank you. Also, I just wanted to be clear. I understood that you don't want section 33 to apply to the equality rights under 15 and 28 of the Charter.

MRS. PEIRCE: Section 33?

MR. McINNIS: Section 33 is the notwithstanding clause.

MRS. PEIRCE: Oh, yes. Yes, because we feel that any province could at any time opt out of some of these things, and we want these rights enshrined in the Constitution and not be allowed to be changed.

MR. McINNIS: I agree with you, but would you extend that to the balance of the Charter? I mean, there are some parts that are already exempt, primarily the right to vote in the structure of our democratic government. Would you extend that to the other rights in the Charter?

MRS. PEIRCE: I must admit that I would have to go back and read all these sections before I could make an opinion on that.

MR. McINNIS: Fair enough.

MRS. PEIRCE: All right.

MR. CHAIRMAN: Yes, Yolande.

MRS. GAGNON: Thank you. You mention the fact that Quebec needs certain rights to maintain its culture and language.

MRS. PEIRCE: Yes.

MRS. GAGNON: I guess one of the things that I'm concerned about is the myth that Quebec culture is homogeneous and that everyone there is the same – it's a myth about the rest of the provinces as well – and also the myth that French-Canadian culture is exclusive to Quebec and doesn't exist outside of Quebec.

MRS. PEIRCE: Yes.

MRS. GAGNON: So I think that we have to maybe talk about minority rights across the country, not just giving Quebec certain distinct rights which may threaten their Anglophone minorities, for instance, and the same outside of Quebec. Can you maybe expand a little on that idea that yes, they need that, but maybe

others need it as well because they have minorities? They don't have a homogeneous culture.

MRS. PEIRCE: Well, let me just look back here. We did mention that we felt that the rights of persons of Canada's multicultural heritage should be enshrined in the Constitution.

MRS. GAGNON: No matter where they live.

MRS. PEIRCE: No matter where they live, yes. That's what this would apply to.

MR. ADY: My question centres around the national standards, specifically on education. We've had several presenters come before us who have been very adamant – and I assume that in national standards you're talking about kindergarten right through to grade 12 and secondary education, the whole way.

10:58

MRS. PEIRCE: Yes. We're talking about all levels of education.

MR. ADY: They've indicated that they felt those decisions made closer to the grass-roots people would be more efficient, more effective for the people that they serve. They felt that people at the provincial level were just as bright and capable of setting good, progressive standards for education as they might be in Ottawa and that the central government doesn't particularly have any licence on being the most capable in those fields. How do you rationalize that?

MRS. PEIRCE: Well, I can speak for many of the members of our group who are teachers, myself included. With the mobility, particularly the people moving in and out of Calgary, for example – they'll come into my classroom and they will have done this the year before, but we haven't done. There are so many inequities in what each province does at the various levels of education that we felt that if there were some minimum national standards – now, I use the word "minimum" – that this would help alleviate this problem. But this still does not prevent a province from enhancing and building on these to a considerable degree.

MR. ADY: Just one further question on that. If the national government were to set national standards, and they were minimal, then provinces would have the right to exceed those?

MRS. PEIRCE: Oh, definitely.

MR. ADY: Wouldn't you, by that same token, then create this same unlevel playing field and destroy the mobility again? Because those who only met the minimum national standards could not move across to those that had an excessive standard.

MRS. PEIRCE: Well, let's face it. There are no standards whatsoever at the moment, so anything is a step in the right direction. Perhaps this is not the ideal situation, but it's a start.

MR. CHAIRMAN: Thank you. This is a very important issue, and since you are a teacher – we've had suggestions made that the Canada Council of Ministers of Education should really be doing a better job in co-ordinating the educational policies of the provinces without the federal government coming in with the establishment of a new federal department of education and all



the attendant bureaucracy which would be associated with another level there. How would you react to giving that body greater responsibility and making it very clear that they had a role and a responsibility to come up with those national standards and leave it in the hands of the provinces?

MRS. PEIRCE: As you know, I'm speaking for a large group of women, and there are some questions that I feel I personally should not answer, that I should get a consensus on from my group. Perhaps this is one of the questions that I should take back to my group. Now, what did you refer to this group as?

MR. CHAIRMAN: The Canada Council of Ministers of Education. They meet on a regular basis, and one of things they recently came up with was an agreement as to a method of evaluating achievement and the uniform evaluation of achievement process.

MRS. PEIRCE: Yes. I read an article about that.

MR. CHAIRMAN: That hasn't come about yet; nonetheless, they've made good steps towards getting that.

MRS. PEIRCE: Of course, with evaluation of achievement it's only valid if all groups are doing similar things.

MR. CHAIRMAN: Of course, and that obviously, then, becomes the next role that they have to play.

Okay. Thank you very kindly.

MRS. PEIRCE: Thank you. I have a copy of our presentation.

MR. CHAIRMAN: And thank the members of your group for studying the issue and taking the time and effort and concern to let us know your views.

A presentation now on behalf of the Calgary Catholic school board. My advice is that John McCarthy and Madeleine Payne will come forward. If you'd like to proceed.

MS PAYNE: Good morning, and thank you for allowing us to come before you. My name is Madeleine Payne, and I am the chairman of the Calgary Roman Catholic separate school district No. 1. This school district is the first Catholic school district in Alberta. It was founded in 1885, 20 years before the province was constituted.

DR. MCCARTHY: Mr. Chairman, my name is John McCarthy. I'm the superintendent of the Calgary Catholic school board, and I'm pleased to be here to share our views on constitutional reform and its impact on Catholic education in Calgary. We acknowledge that there are many issues impacting constitutional reform; however, we will limit our presentation to the history, nature, and special contribution which Catholic education has made in this province and throughout the nation. We represent the educational interests and rights of the 31,000 students in the Calgary Catholic school board. We have our 70 school communities, our 1,750 teachers, and our 1,000 support staff.

Our purpose in coming to you today is threefold: first, to dialogue with you concerning the history, the special nature, and the rich contribution which Catholic education makes to Canada and specifically to Calgary and the province of Alberta; secondly, to make representation concerning individual and communal rights to separate schools as guaranteed in the earliest and in recent documents of Canada; and finally, to confirm that we are

interested in preserving the constitutional rights guaranteed to us in the British North America Act of 1867 and reiterated in the Canada Act of 1882 and enshrined in the Alberta Act of 1905. Be assured that we are interested in the present and future welfare of our schools and the academic tradition which continues to inspire students and staff to excellence in schooling and education. We want to ensure that any Canadian constitutional review preserves and nurtures the growth of Catholic public education.

We intend to limit our considerations to the effects that constitutional changes may have on our right to Catholic education. Obviously, the myriad of details concerning provincial rights, aboriginal rights, immigration, Senate reform, bilingualism, special status for Quebec, and interprovincial trade will be brought forth by others. In concentrating on the Catholic schools and their constitutionally guaranteed rights, we are conscious that constitutive changes in any of the areas listed above may influence our rights and obligations under a revised Charter and thus affect our rights under the Alberta Act of 1905.

Briefly, we require the assurance that Catholic educational rights will be maintained. These rights touch the original resolve of the founders of this country to recognize and respect diversity. They reflect that pristine resolve to live peacefully with our communal differences, knowing that as Canadians we would be one in admiration of family, support of neighbour, and loyalty to a united Canada.

MS PAYNE: Our ancestors, the early settlers of southern Alberta, held Catholic education in high regard. A Catholic school was one of the first institutions they established. We are a living sign of their determination to have schools supportive of their Catholic family life and inspired by an academic tradition which believes in a liberal education; that is, an education which could examine all human knowing, regardless of whether it be in the order of art, history, mathematics, science, literature, or theology; an education which could pursue the interrelatedness of all knowing; an education which respects the truths held and lived in Catholic homes.

We are proud of our schools and their contribution to Alberta and to Canada. Our graduates make significant contributions to Alberta professions; politics; religious, artistic, and athletic endeavours. However, we reserve our greatest pride for the thousands of students who celebrate Catholic education in their lives at work and at home. The province of Alberta is the richer through the work and effort of the Catholic schools of Calgary. Each of our 70 schools strives for academic excellence and the opportunity to support the parents who entrust their children to us. The quality of education and the visionary leadership manifested in our schools are exemplary in Canada and throughout North America. Students learn best in a school which is an extension of and a reflection of the values of their homes. They require a school which is a community willing to nurture their developing needs and founded on family principles. Calgary Catholic schools have a proud record of academic success and a history of graduates who remember their school with pride and appreciation. Our schools have been available from the earliest years of our founding to those who wish an education within this Catholic academic tradition.

11:08

Our schools are not churchy. It is a fact that our schools are related to and teach the traditions of the Catholic church, but they are not places of worship. They instruct with an academic tradition which is able to synthesize the truths of our culture and

the truths of our faith. Catholic schools proceed from a principle: truth is one regardless of whether it is found in culture or in faith. Catholic schools do not attempt to convert or to prosel . . . I can't say that word.

DR. McCARTHY: Proselytize.

MS PAYNE: Thank you.

DR. McCARTHY: That means to convert.

MS PAYNE: Thank you.

Their first objective is to impart knowledge. A noted theologian and educator described a Catholic school as follows:

A Catholic school is one in which God, His truth, His life are integrated into the entire syllabus, curriculum and life of this school.

The Catholic school aims at academic excellence in every area without excluding God from any area.

Alberta has two public school systems: one follows an academic, cultural curriculum; the other follows an academic curriculum which integrates the Catholic faith and culture.

The Calgary Catholic school board supports the concept of two public school systems. Parents who wish their children educated apart from any faith consideration should have that right. The right and freedom to an education reflecting family values are important to us. Our tradition teaches that parents are the primary educators of their children. We support this principle as a right for all parents. The Catholic school, with its tradition of relating all knowledge, cannot replace schools choosing not to teach theology. By the same token, Catholic schools cannot be absorbed into educational systems that choose not to synthesize culture and faith.

DR. McCARTHY: Thank you very much. Mr. Chairman, as you can see, the next section deals with the Catholic program, and I think in the interests of time here I'll just indicate that it's there. The members of the panel can read that, I think, at their leisure. It just explains, you know, the essence of a Catholic education program. Since we're concerned with constitutional matters here, I think I'd flip over to page 7, Mr. Chairman, at the top of the page there.

The Canadian Catholic Schools Trustees Association submission in May of 1991 to the royal commission of inquiry into the delivery of programs and services in primary, elementary, and secondary education in Newfoundland stated:

As Catholic parents, we are conscious of our responsibility to provide our children with an education which is whole and current. The truth which comes to us through our religious knowledge must be constitutive of and descriptive of our lives and a consideration in any schooling and study. It is preposterous and illogical to think that any part of the truth can be appropriately, politically or fashionably confined to certain places or times; logically, educationally and pedagogically truth must take its place in all our decisions . . . Truth cannot be taught in some selective manner which chooses the acceptable, avoids the controversial or that which might ask a great deal of us.

The Congregation for Catholic Education in their 1977 document *The Catholic School* states:

The Catholic school strives to form its pupils' critical faculties so they can choose freely and conscientiously from what is offered by other sources of information in society. They must be taught to subject the information from these "parallel schools" to a critical and personal analysis, to take what is good and to integrate it into their Christian human culture.

Catholic schools represent a heritage which considers the integral life based on the academic tradition of Christianity and urges the young to choose the true as the basis of a free and humane society.

Our chairman will lead you through the last part, which deals with Catholic education and the Constitution.

MS PAYNE: Catholics obtained a right to Catholic schools in the British North America Act, the Canada Act, and, for Albertans, the Alberta Act. Catholics as a community were given a distinct right to access Catholic education. However, it is questioned whether a special right given to a group offends the spirit of equal rights for all as envisaged in the Charter of Rights and Freedoms. This question is asked, and it will be asked in any revision of the Constitution.

School systems have philosophies of education which state the principles which guide their academic programs, their hiring procedures, the involvement of parents in the education of their children, their relationship with governments, and the planned outcomes of education and schooling. Canadian education began with two Christian philosophies, one Catholic and the other Protestant. Over time the Protestant schools changed and have become nondenominational. Catholic schools remain researched, studied, and renewed to meet the demands of the modern day. As a result, we have two educational philosophies operative in Alberta: one nondenominational, the other Catholic.

The various Acts of Parliament and Legislatures which give legal status to Catholic education also give Catholic parents the right to access an academic tradition appropriate to their family. Such Acts do not empower Catholic parents at public expense to educate their child in an arbitrary fashion. Rather, they empower them to choose an academic tradition recognized for its ability to produce competent scholars prepared to act reasonably and responsibly within a democratic society.

When considering the relationship of communal and individual rights, we must remember that at the time of Confederation, Upper and Lower Canada recognized that we were a people who had certain communal differences which were important to us individually. Those differences were built into the first Constitution, the British North America Act. The founding of Canada was not a melting pot of all cultures but rather a recognition of differences among people and a resolve to live peacefully with those differences.

In 1949 the British government, in granting the Canadian Parliament the right to revise the British North America Act, stated specifically that any changes in the BNA Act must not tamper with the school rights granted in section 93. Senator John Connelly, during the hearings concerning the repatriation of the Constitution, speaking to the delegates of the Canadian Catholic School Trustees' Association, referred to section 93 as "the ark of the covenant," without which we would not have had a Constitution.

Catholic communal rights to education take their place in our Constitution alongside other communal rights such as aboriginal rights and Francophone rights. Catholic schools have an obligation to be true to the British North America Act. They must represent the academic tradition which was recognized when Catholics were granted Catholic schools. The framers of the British North America Act were providing for a need for a distinct group of people the same way that they provide for the distinct needs of the Francophone people. This need to accommodate the educational needs of the Catholic people was illustrated by Thomas D'Arcy McGee, a Father of Confedera-

tion, in a debate in the Legislative Assembly at Toronto on June 3, 1853. He said:

Teaching that two and two make four is teaching to reason – it is teaching the use of the mental faculties – and we must insist that every lesson in reason shall be accompanied by a lesson in revelation . . .

Catholic schools are staffed with teachers who are knowledgeable and supportive of the Catholic faith. This qualification is no more discriminatory than our insistence that teachers who teach physics should have a deep understanding of the science of physics. It is important that our schools be staffed with teachers who have a love of students, a love of study, have knowledge of the subject areas they teach, and a knowledge of and a loyalty to the teaching of the Catholic church. Catholic teachers carry the program and the pedagogy to fulfill the mandate of the British North America Act to provide Catholic schools.

We thank you for hearing the observations of the Calgary Roman Catholic separate school district relevant to possible revision of the Canada Act. Our communal right to Catholic schools and our ability as individual Catholics to access a Catholic public education are as Canadian as any of the group rights which existed when we first became a nation.

Thank you.

MR. CHAIRMAN: Thank you.

Yolande, I'm sure you will want to talk to your former colleagues.

MRS. GAGNON: I think I helped write this at one time and certainly spent 12 years of my life dedicated to this cause. I do want to say that it's probably wise that you bring this up, and you're not the first ones. We had groups I believe in Camrose, in Lethbridge, and in Edmonton come forward from Catholic school boards talking about denominational rights in education as they exist in Alberta. I say it's probably wise because although we seem to have resolved those issues years and years and years ago and we don't fight anymore about the Catholic and Protestant schools kind of thing, we heard even last night from Bert Brown of the triple E Senate – I'm sure he wasn't referring to this, but the statement was made that we must all be equal regardless of race, creed, and religion. If you push that to the extent of its meaning, it might threaten these constitutional rights, so I think you're wise to bring it forward.

I want to ask you something just a little different. In your opinion and from your experience – and I know you've both traveled a lot to a number of national conventions and so on – is education best left as a provincial responsibility? Should we look at concurrent responsibilities? Or should we shift it all the way over into the federal jurisdictional area?

11:18

MS PAYNE: I think it's best left with the council of ministers. I think they should be meeting more and working more together, but I think it's best left the way it is.

DR. MCCARTHY: Mr. Chairman, I would just reiterate that yes, Yolande, education is a provincial right. The Constitution is clear on that, and certainly we're not advocating any change from that at all. There's been some talk this morning about the national standards and so on, and I think that calls for greater co-operation, but I think that's co-operation as opposed to actual constitutional change.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Thank you. I haven't ever heard section 93 referred to as the ark of the covenant before, but I see it referred to here in an interesting way.

John McInnis.

MR. McINNIS: The Catholic school system has a reputation for meeting the very highest academic standards, which is one of the reasons that it's so well supported in the province of Alberta and elsewhere where we have the opportunity. The question, though, of national standards comes up time and again, the fact that you move from one province to another and you may be ahead or behind in the curriculum. At higher postsecondary levels they have difficulty knowing what the student has done. Assuming that that might be the responsibility of the Canadian council of ministers – I'm assuming they've been in existence for half a century or so already – what reason is there to think that they would do that all by themselves in the next year or two? I'm just wondering if there isn't a case to be made for a national achievement standard, at least, in terms of educational performance.

DR. MCCARTHY: Mr. Chairman, as the panel is aware, there is a project now before the council of ministers looking at the selected indicators. They're looking at a national test in which all the provinces would co-operate. Alberta is taking a lead in that. Alberta Education has been given the job of lead group by the council of ministers. The province of Quebec is also very active in this. It's under study now. It's in its preparation form, and it's supposed to be applied in 1993. Of course, the whole question of testing is a highly, highly complicated issue and so on, as has been brought out in earlier discussions this morning, and obviously they've got to take their time to do this. It's interesting that the province of Ontario has opted out of this. This is a voluntary exercise, and the idea is to draw up these tests and then to apply them all across Canada in order to get some initial data, because we have a remarkable paucity of data on student achievement at the national level.

MR. McINNIS: It's interesting to me that this comes down to testing. I sort of think that if we spent as much money on curriculum development as we did on testing, we'd be better off. I wonder if the fact that Ontario is not interested doesn't make the point that perhaps it's not going to happen all by itself, and perhaps we would need some leadership at the federal level in order to see that it does happen.

DR. MCCARTHY: Again, Mr. Chairman, if I may. As I said earlier, you know, the Constitution is clear: education is a provincial right. I think every province, understandably, is jealous of that right. The way I see it is that the main contribution that the council of ministers can make is the sharing and the co-ordination and co-operation as opposed to legislative responsibility.

MR. CHAIRMAN: Thank you very much. There's no question that we are being asked by a number of people to substantially alter section 93 of the Constitution by inviting the federal government to play a role in a constitutional sense, and we have to weigh the submissions in that respect very carefully as we prepare our report as a committee to our Legislature.

DR. MCCARTHY: Mr. Chairman, I was just going to say that clearly, as you can see, our presentation is that section 93 is really, really sacred to Catholic education because it's there that

our guarantee exists. We would be vehemently opposed to any change in section 93 that could in any way remove the historic and constitutional rights of Catholic education.

MR. CHAIRMAN: One quick question then. Is there a difference between provinces relative to the level of the ability of the Catholic school system to maintain its rights under section 93? If so, where does Alberta rank in that?

MS PAYNE: Yes, there is, and Alberta I think has probably got the best in the country as far as our rights under section 93, much better than Manitoba and British Columbia.

MR. CHAIRMAN: There was a big controversy in Ontario, which I don't pretend to understand . . .

MRS. GAGNON: I'll explain it to you at lunch.

MR. CHAIRMAN: . . . on the issue in the general election just a short while ago.

DR. McCARTHY: That's right.

MR. CHAIRMAN: All right. I'll rely on Yolande's experience to explain it to me.

DR. McCARTHY: You'll find it very interesting, Mr. Chairman.

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

Next we are going to hear from a group of fellow Canadians. This group comes to us from la belle province de Québec. Bienvenue à la province de l'Alberta, to the task force on Canadian federalism. We have three presenters who will come forward now. We welcome the views of this group as they give Albertans some advice on where we should be in the new Canada.

MR. GRAY: Thank you, Mr. Horsman. My name is Julius Gray. I'm a professor of law at McGill University and the president of this task force. With me is Prof. Anastopoulos from the department of economics at Concordia and June Weiss, a consultant in communications. We are a nonpartisan, nonparty, of course, task force working in the province of Quebec and dedicated to the preservation of Canada today. We are both English and French, and as you will see from our membership list, we have no restrictions whatsoever save, of course, our belief, which unfortunately is not shared by all Quebecers but we are convinced is shared by most, that Canada must survive and that life in a different type of society would not be as good. We've prepared a presentation, and I've limited my personal statements to three plus a conclusion. Prof. Anastopoulos will speak of the economic problems.

The first point I would like to make is that Canada is unthinkable without Quebec. We've heard, unfortunately, distressing opinions from the rest of the country from time to time. Again, I'm sure they're a minority. This morning, for instance, nothing of that sort came through at all, that "Let them go" is the proper policy. This comes from two types of opinions: people who are justifiably irritated with what I consider to be clear abuses of human rights and excesses of Quebec nationalism in Quebec, and those who, acting from an equally justified desire to please Quebec, turn a blind eye to those excesses and think that that

is what Quebec needs or wants, so this sort of sovereignty is a good thing. Both positions are impossible, and the reason for it is the following.

I do not believe that the concept of Canada remaining without Quebec is at all a meaningful one. You would have some sort of entity here, but it would not be the Canada we know nor will Quebec be the Quebec we know. It would be different societies not able to face the competition of our powerful friend, ally, and neighbour and, I think in the case of the English provinces in particular, doubtfully able to resist the pressure of incorporation over 20 or 30 years. I think the idea of a Canada without Quebec is in itself a type of nonsense because Quebec and Canada have been inextricably together as partners in this country, and it would simply not be the same Canada. I think those people that say "Let Quebec go" imagine that things will go on much as they did except that there will be no Quebec. That is out of the question. Of course, the same lesson must be said, and we have been saying it, to the separatists: "You think Quebec will go on very much as it has been going on before. It's unthinkable. The services will not be there. The social pressures will be very different."

The second point, which follows from the first, is that bilingualism is an essential portion. We have been again hearing distressing and, I believe, absolutely minority views from other provinces saying, "Let's have two Canadas, one English and one French, in some sort of loose association." That is assuming that French culture is limited to Quebec, that English culture is not present in Quebec, that you can make that sort of division. I submit to you that bilingualism along with a compassionate society, with our social programs, are the things that have made us different from our neighbours, that make this society what it is. Any suggestion that we should make English Canada entirely English, live in English only and let everybody else live in French only if they want to, is pernicious and destroys Canada as surely as the idea of "Let Quebec leave, and we'll go on as we did." It'll have the same effect. Quebec will have no interest in staying in a basically unilingual English country, and I would not advocate that. Secondly, it will be an impoverishment for everybody, because the French language or the English language, as the case may be, is an enrichment to everybody whose primary language is the other one. Thirdly, the fundamental distinction of Canada, its nature, its soul, would not be the same.

#### 11:28

Bilingualism should not be touched. That does not mean that Calgary will become fully bilingual. It does not mean that Chicoutimi will become fully bilingual. It means that both languages must be present across the country in different mixes, in different proportions, along with, I might add, some of the other languages – the native languages, languages from the other multicultural communities – though once again the official languages must have special and different status.

The third point I want to make clear, because so far I've been saying that Canada without Quebec and bilingualism is impossible, is that I think the Allaire report is utterly unsatisfactory as a beginning of negotiations. I'm saying this here in particular because some Quebec press reported that many Albertans said, "Well, that might be a good start; let's negotiate decentralization." I suggest to you that that sort of decentralization is absolutely not the recipe for a new Canada.

Firstly, the decentralized Canada would not be able to have the common standards and policies, the federal government would not have the tax revenue to enforce that, and it would simply fall apart on that standard. Secondly, Canada is already

the most decentralized federation of the major federations. If we adopted the Allaire report or some form of Allaire report, the expense of keeping this type of network across two and a half thousand miles would not justify the types of functions the federal government, the federal bureaucracy would have. Let's remember that in Canada, if you take into account the redistribution payments, the federal government already spends less than the provincial governments of the total tax money. One has to be careful not to create a sort of rump federal government with no powers, because in the next economic crisis the obvious and justifiable answer will be: let's get rid of this expensive bureaucracy that doesn't do anything and only costs us money.

In other words, this type of massive decentralization only makes sense in one type of circumstance. If people believe that Canada must fall apart, then a halfway house for four or eight or 10 years as a way of softening the blow and making sure the investment doesn't leave right away would make sense. I totally oppose the idea that Canada must fall apart, and therefore I think the idea that we can negotiate total decentralization with Quebec is an absurdity.

I would also add that whatever we do, the nationalists in Quebec will not be satisfied. The leaders, what I call the nationalist mandarins, to whom I will get back, will not be satisfied with any solution. If you have a halfway house, two years later, the minute there's an economic crisis or a problem or anything, they'll say, "You see; we just didn't go far enough." At that point there will not be a sound structure to defend. It will be harder to fight against the next round of demands. So my suggestion to you is that the Allaire report does not present a hopeful type of thing.

Now, I want to stress that I have not said and I don't want to be understood as having said that the status quo is the only answer. We're very sensitive, for instance, to Alberta's concern about the Senate, to the possibility that powers might be redistributed. There are some that might be better done provincially, and I want to stress – in Quebec of course our message comes across as federalists who are accused of being status quo, and that's a dirty word – that the essence of federalism is not only a strong federal government but a strong provincial government. Otherwise, you have a unitary state, and nobody is suggesting that, certainly not us. So a redistribution of power, even major constitutional changes, is possible but not a major constitutional change which weakens the federal government. In our paper we say that the net effect should be about the same. We must leave a federal government capable of enforcing national standards and doing those things the federal government does better, in particular with respect to economics but also with respect to human rights and certain standards of that sort.

Before turning the floor over to my colleague to discuss economics, I want to make some conclusions. What are the conclusions? How are we to go about resolving this crisis? I must add that I think the crisis is terribly harmful because it diverts attention from the real issues, social and economic, that this country must face. The answer surely is that before we can dream of constituent assemblies or referenda or all these things, the heart of Quebec must be won. The way to win the heart of Quebec is not to appeal to what I call the nationalist mandarins. We will not convince Mr. Bouchard. We will not convince Mr. Parizeau. As for the government, Bourassa and Remillard, we will not get them off the fence. I think it is necessary for Canadians from all of Canada to go to Quebec and campaign there.

In particular, I think the nationalist mandarins in Quebec have been guilty of a propaganda campaign which has represented English Canada as uniformly rejecting Quebec. When some individual fool says something impolite to a Quebec visitor, that is headline news in Quebec newspapers. Quebecers are thoroughly convinced that English Canada has rejected them. I don't even know what English Canada means anymore in a multicultural society, but I am certain the other provinces have not rejected Quebec. The message must be taken directly. I believe the Premiers, the leaders of the opposition, the artists, the scientists, business leaders, labour leaders from Canada should come to Quebec and, instead of speaking through the so-called leaders, speak to the people of Quebec directly. The message must be a firm one. It's not enough to say, "We want you because we want you and we want to preserve Canada," we must say firmly that Canada does not approve of the excesses of the language policies, not because the French language should not be protected but because those excesses, as the Supreme Court has said, are not at all necessary and are simply being used to whip up the type of sentiment which has led us to the crisis.

I think one must be firm and frank about the need for Quebec to observe those basic national standards of rights. We must also tell Quebec that because we are so devoted to this Canada, the compassionate society, the bilingual society, we will not be an easy partner to negotiate a totally easy, different type of arrangement. It's not a foregone conclusion, common currency, or all these things. These things must be said firmly and openly, but above all I think Quebecers are waiting for an expression of affection, of respect, of a belief that the French culture exists across the country and not only in Quebec. I think that if other provinces go to Quebec and persuade Quebecers of this, the mechanism of constitutional change, whether it's an assembly or a political mechanism or the present mechanism or any other, will become secondary. The battle will be won when Quebecers, all Quebecers, are able to be as firmly Canadian as, for instance, what we heard in the presentations this morning.

I will now turn the floor over for the economic part of our analysis.

**DR. ANASTASOPOULOS:** I would like to stress some aspects of the crisis we are facing. At the present we are talking about a constitutional crisis, and Quebecers provided the impetus for that. However, I think Canada is facing serious economic problems which threaten Canadian unity. Some of the problems we are familiar with are high deficits and an inordinate tax burden and particularly low productivity of Canadian industries. This is a vicious circle. High deficits create a tax burden which chases away more dynamic industries and leaves the more inefficient ones.

The federal and provincial governments, particularly the federal government, are becoming less and less able to meet the economic needs of this nation. Now, in the past we had to build a country out of diverse religions and cultures. Governments had to give strong subsidies to industries based on the infant industry argument. But a nation was built which had a character distinct from its neighbours, and this is shown clearly from the views of Canadians on the role of the government, social justice, quality of life, and so on.

However, after some 200 years of application of this admirable policy, we still have serious problems that threaten the nation, serious regional disparities, conflicts among regions, and inefficient industries, which create a lot of dissatisfaction. Lately we have heard that the solution to that is decentralization.

There's a lot of other discussion and debate, but it's more at the emotional level. There's some vague notion of decentralization. Decentralization means that each region should be mainly self-reliant for its political and economic survival. Before we decide on the degree of decentralization, we should be aware of the efficacy of economic independence for small economies which depend greatly on national markets.

Now, there are very serious arguments, international developments, in favour of centralization. I will mention briefly large economies of scale which have resulted in strong multinationals. I will mention also the threat of flexible manufacturing, which makes small production units incapable of surviving economically. I will also mention the tendency for globalization and the movement of factors of production across borders. All these developments speak in favour of a strong federal government in the area of economics. Each region and its production unit by itself is incapable of regulating multinationals and negotiating closer economic ties with economic giants such as the United States. Each region needs to be protected from inevitable interventions of political institutions of the stronger economic units, especially when those outside institutions do not give high priority to its interests. If there is strong decentralization, inevitably each region will feel compelled to take advantage of the political benefits of the stronger region. If this unenviable scenario unfolds, Canada is bound to disintegrate sooner or later. Then I regretfully suggest that maybe we should make an application to join the United States now, because the debate is going to be long, drawn out, expensive, and will lead to the destruction of Canada in my opinion.

11:38

What we have now is a challenge. We have to face those serious economic problems that we mentioned before and try to discuss carefully what we are going to do about them. We have certain goals which are considered to be sacred. These goals made it possible for the nation to be built. Furthermore, abandoning these goals would seriously undermine the foundation on which Canada was built. On the other hand, the cost of pursuing these goals is responsible for high public debts and the low productivity of Canadian industries. The consequence is that Canada is becoming less and less economically viable, as we have argued before. We suggest that Canadians probably aim for more than they can afford or are willing to pay for or that the present political structures are not an adequate mechanism for achieving these goals. What needs to be done is to have a set of feasible goals according to the means we have available.

We have to re-examine self-evident truths and present them in public debate. Ideally, public debate should be done among political, business, labour, and education leaders across the country, drawing attention to substantive issues, not only to constitutional reform. For example, with respect to the economy, we should be considering a few political scenarios in restructuring the country and discussing the economic impact of such political scenarios. For example, if we have strong decentralization, the average Canadian should know what's going to happen to the standard of living, to the unemployment which will result in various regions. What will happen to the location of industries? In addition, we should discuss the adjustment process, how painful it will be to adjust to the new realities. Above all, as I argued before, we should discuss very carefully the pros and cons of Canada ceasing to exist as a nation. In my opinion, strong decentralization would lead to Canada ceasing to exist as a nation. Then after we have that clear in our minds,

we should adopt the constitutional reform which is appropriate to implement these changes.

Thank you.

MR. CHAIRMAN: Thank you. Well, we've run substantially over your 15 minutes. I don't know whether you wish to make any comments.

We will try and get some questions in quickly. Yes, Fred Bradley.

MR. BRADLEY: I have a question relating to one of the first steps suggested in your brief, that there should be unilateral recognition by Ottawa and each province of Quebec's distinctiveness and special mission with respect to the French language across Canada. I want to ask you: did the distinct society clause in the Meech Lake accord satisfy that request?

MR. GRAY: It did, but it went much too far in another way. You see, I believe Quebec wants the recognition; I don't think it needs special legislative powers for this purpose. For one thing, I do not believe – and I think it's now generally established even in the Quebec press, if you read Mr. Henripin and people like that, that Quebec culture is not in danger as such, that there is no danger that Quebec will become English. I think there's a distinction between a recognition which should be there, which should be part of the statement of Canada, "We want Quebec," and legislative powers which the people I refer to as the mandarins of Quebec nationalism would not fail to use to suppress other rights. That's the distinction. I think the distinct society clause would have been perfectly fine had it been in the preamble or had it been accompanied by a restatement of the Charter rights. As it was, it was of course an open-ended thing and could have been used in any way. So I believe this type of declaratory statement would fulfill Quebec's need to know it is welcome without creating a precedent for some future misuse of rights when a government doesn't know what else to do and needs some exciting legislation.

MR. BRADLEY: Could you define what you mean by Quebec's special mission with respect to the French language across Canada?

MR. GRAY: Because such things as publishing and so on are necessarily centred in places which have the population base, Quebec obviously has a special mission. For instance, if you have a bilingual society, it's obvious to the rest of the country that many of the teachers of French must come from Quebec. Quebec must send its theatre groups, its cultural groups across the country. Quebec has a mission to maintain French across the country, not of course in a dominant position but as a viable language. It can only be done if there is such a thing as a Quebec inside Confederation. I think that could be understood by all Canadians. Quebec is in a special position in that it can print French books, French newspapers, provide French culture. But Quebec doesn't need special legislative powers for that.

MR. CHAIRMAN: Yolande Gagnon, then John McInnis.

MRS. GAGNON: I think it's so very true that French culture is not exclusive to Quebec, and that's something we have to say over and over again. There needs to be a lot of dispelling of myths and generalizations. I'm wondering: can other people join this task force? Is it exclusive to Quebecois?



Secondly, as regards an area which you didn't really touch upon too much, and that would be jurisdiction in culture and education, I guess you would not want that to become exclusively provincial because that might threaten this pan-Canadian concept you have.

MR. GRAY: Well, the first thing is that although we've operated only in Quebec and our members are only in Quebec, we have been in touch with other Canadians, who are certainly corresponding with us, and we welcome links with all Canadians because we believe Canadians can all talk to Canadians. There are no boundaries between the provinces. They are simply provincial boundaries and not national ones.

On the second one, you are quite right. We believe that culture and education are primarily provincial concerns. It would be a travesty to take them away and make them federal. It would be unacceptable to Quebec and unacceptable to me as a Quebecker. But at the same time, I think there are standards. Those national standards may be in the field of competence – you know, making sure everybody has a certain degree of math – but they are also in the field of basic rights, of openness, of the types of things required by multiculturalism which must be federal or at least interprovincial. Mr. Horsman suggested before that maybe the Council of Ministers of Education could do it. I'm not providing a detailed answer, but I certainly do not believe that either language or culture or any of those things are exclusively provincial concerns. The reason they are not exclusively provincial is because in some ways, along with a compassionate society, along with our social structure and multiculturalism, they are the basic building blocks of Canada. So they interest all of us. Primarily provincial, yes, but across the country.

MR. CHAIRMAN: John McInnis.

MR. McINNIS: I would certainly like to thank you all for traveling here and sharing this vision with us. Anastasios, I took from your submission that we're less economically viable in Canada because we may have gone too far in decentralization already in terms of economic policy. I hope I'm reading that correctly. If I am, I wonder if you could give me some examples of where we may have gone too far in decentralization economically.

DR. ANASTASOPOULOS: I did not specifically mean that the decentralization has proceeded too much. As Professor Gray said, we are already one of the most decentralized federations in the world. What I said at some point is that either Canadians want too much more than they can afford to pay for or the present mechanism is inadequate in providing those national needs. What I also have in mind is that this continuous debate, this continuous conflict between regions and squabble between regions creates a lot of economic waste. From that point of view only, I suggested that time works against each region if each region is self-reliant, if each region depends on its own for its economic survival, because in a loose federation, as we are now, and with continuous debates, continuous conflicts, I'm sure that creates a serious problem; that is, weaknesses and particularly low productivity in Canadian industries.

11:48

MR. GRAY: Let me point out one fact to you. I was once present at a meeting – I was asked to a debate – where a large number of Quebecers were protesting angrily because a large

French company had built a plant in Halifax. I felt shocked that a group of people in my country would suggest that an under-developed region of this country should not get a large French contribution. This is the type of thing that the rivalry between the provinces leads to, and at times we think there should be co-operation. When I said, "Well, they built it in our country in a place which needed employment," there was an equal shock on the nationalists' faces that I should even think that it was proper for the French company to build their plant in Halifax. Of course it was proper. That's the type of thing that I think we've gone too far on, the rivalry between the provinces.

MR. CHAIRMAN: Bob Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. I'd like to echo my appreciation for the fact that you're here today. I'm intrigued by the message you bring.

There are two areas here. One is a process of resolving our differences, and the second aspect is sort of the content of the negotiations. You've suggested that as far as process is concerned, there's a role that could be played in simply taking a message to Quebec that they're wanted and we desire as Albertans that they be a part of Canada. Could you maybe take a moment to expand on that a little bit? In particular, what do you see as a role that a committee such as ours could play, a group of legislators in Alberta? What could we do in a constructive way along that line?

MR. GRAY: I think you and people from Ontario and people from the maritimes and people from B.C. and from the north could come to Quebec and meet the people of Quebec and discuss it openly with them. I think, you know, that the nationalists, the mandarins will immediately say that's an invasion, you're interfering, but it's Canadians speaking to Canadians. The reason why I think that has to be step one is because all the other steps are totally unsatisfactory until you've resolved the problem of Quebec's participation. If you run a national referendum, what will happen if all the country votes 80 percent and Quebec votes 51 percent against? What's the legitimacy? You have to worry about that sort of thing. If you run an assembly, what happens if the present leaders of Quebec, if Mr. Parizeau comes there and simply – you saw what happened when Mr. Lévesque attended in 1981-82. He said no to everything, and then he said, "We've been cheated."

You have to have Quebec convinced before the process, and the only way to do it – and I think it will do it, because Quebecers are now beginning to realize what the costs are, and there are many who are just waiting for this positive message that the French culture, Quebec, and so on, are important to all Canadians – is you just come to Quebec and hold an open session in Montreal and Quebec City once you've got your report, showing that the report is not at all anti-Quebec, that all those things they hear about the other provinces are simply not true and that everything is open to everyone, pointing out what the Quebec contribution has been to those provinces, the importance of the French communities in each of them. I suspect Ontario and New Brunswick and Manitoba have a particularly large numerical one, but Alberta does as well. What the importance, for instance, of graduates of Quebec universities, McGill and so on, has been in the development of the other provinces.

The message is that we're really partners and that Quebec's partnership is welcome and accepted and that no one has attributed, say, most Canadians' indignation about some Quebec

policies – no one has said, "Well, that means Quebec is no good," just like one would hope that the justified indignation of Quebec at some comments from time to time about the French language means that all Canadians outside share those comments. I'm sure if you do it and the Ontario committee does it – and not only political committees but artists, scientists, as I've said, journalists – six months of that campaign will win Quebec's heart, and then we will be able to use any means. We'll get together, and I'm sure a deal will be struck without much difficulty because the hearts will have been won.

I think one thing you have to remember is that half the hearts are won anyway. I don't believe that real souverainistes form a majority in Quebec, and I believe probably 50 to 60 percent are already convinced that Canada must survive. But if you go into Quebec, we will have a good two-thirds, and that is what is needed for Canada to continue with everybody's approval, because if we say that Canada without Quebec is unthinkable, we also know something else: that in Canada force is equally unthinkable, so Quebec must be won. That is the way to win Quebec.

MR. CHAIRMAN: Well, we've extended our time considerably here, and we are pressing hard on the time available to our remaining presenters this morning, but I have a question that I think I'd like you to answer, if you could, yes or no. Could we go to Quebec with a report from the Alberta Legislature which says, "There must be a substantial change in section 93 of the Constitution which would introduce the federal government in a major way into section 93, education rights"?

MR. GRAY: Yes. As long as it was properly phrased and as long as the provincial predominance in education remained there, yes you could.

MR. CHAIRMAN: Do you think that any government of Quebec could sell that, then, to their people?

MR. GRAY: The government of Quebec would not need to sell it. I think that people would buy it as long as it was clear that it was not a change in the education power to the federal government but merely an establishment of certain common standards that everybody needs and that everybody would benefit from.

MR. CHAIRMAN: Interesting selling job.

MR. GRAY: Difficult, but it could be done.

MR. CHAIRMAN: Okay. Thank you very kindly for coming and being with us and coming all the way from Montreal for this presentation.

Norm and Ev Altenhof. Yes. Welcome, gentlemen. I'm sorry to have kept you waiting.

MR. N. ALTENHOF: No problem. My name is Norm Altenhof, and this is my brother, Ev. We're here just on behalf of ourselves; we're not representing anyone. We submitted copies of our views of the Canadian Constitution based on your paper that was sent to various people. Basically, all we did is we went through it and the questions that you had asked that . . .

MR. CHAIRMAN: Excuse me, please, but could we have attention in the room? Thank you.

MR. N. ALTENHOF: Those questions that were asked that were important to us, we provided answers to. At the end I can hand out a copy if you don't have one. What I'd like to do just in our 15 minutes is provide an introductory statement, go through some of the questions that you ask and some of the answers we provided, and then we'll entertain any questions that you might have.

MR. CHAIRMAN: Thank you.

MR. N. ALTENHOF: Then we'd just like to present a final, one-minute summation and leave it at that. So I'd just like to let my brother, Ev, start with some introductory comments.

MR. E. ALTENHOF: Good morning. My brother and I are here as individual citizens. We make no wild and unsubstantiated claims as to how many people we represent, but we believe our views are common among many Albertans, and our views are strongly held.

It should surprise no one that Canada once again finds itself in the midst of a constitutional storm. No surprise, because the existing Constitution and Charter of Rights is a baling wire and chewing gum attempt to socially engineer Canadians into convenient pigeonholes, and it has never carried the acceptance of rank and file Canadians. Thanks to the Canadian Charter of Rights nothing has to be earned, only demanded.

The Constitution and Charter of Rights have succeeded in dissecting the Canadian population into competing special interest and ethnic groups designed to be easily manipulated by politicians and bureaucrats for political expediency. It is ironic now that as we find ourselves in yet another crisis, politicians and commentators lament the apparent inability of Canadians to find common purpose, yet it is these same people who by their policies over the years have deliberately and shamelessly attempted to strip commonality from Canadians until we have reached the point where we have little more in common than our profound ability to overspend, which can hardly be considered a desirable unifying force.

It was Albert Einstein who said that the problems which exist today cannot be resolved by the same level of thinking that caused them. Therefore, the new Canadian Constitution must not be developed by political parties, social engineers, business or labour groups, self-serving academics, elitist eminent Canadians, government-funded special interest or linguistic groups, by the editorialists of Southam newspapers or the *Globe and Mail* or the CBC or, God forbid, by Max Yalden or D'Iberville Fortier. It must be developed by and accepted by Canadians as individuals. It is impossible to pacify all of the competing and diametrically opposed special interest groups' viewpoints within this country, and so the Constitution must pacify none. Rather, it must speak to Canadians only as individuals and not as members of some group.

11:58

It is also our view that the new Constitution must not enshrine the philosophies of any political party. One example is the so-called amelioration clause in the current Constitution, which enshrines and sanctions the practice of government-sponsored racial and sexist favouritism, which has no place in the Constitution. Time and again it has been shown that governments, politicians, and bureaucrats possess no monopoly on ethics or tolerance, and in fact this self-serving legislation is often used to meet their own political ends. It is for these same reasons that

the practice of confiscating taxpayers' money to support multicultural demands must cease.

The issue of decentralization has often been raised, clearly because that is what Quebec is demanding. We have seen over the years that federal governments, regardless of stripe, tend to drool over the Quebec tribal vote like pimply-faced teenage boys over a prom queen, and so we can reasonably conclude that Quebec's demands for increased decentralization will be granted. That being the case, it is absolutely imperative that there is no special consideration for Quebec and that any decentralization of powers granted to Quebec must be offered to all provinces. Whether or not each province wants to accept those powers is their own business. We think Alberta should accept those decentralized powers, but it is important to note that the issue of decentralization is not only one of the juggling of powers between levels of government but, more importantly, between individual Canadians and governments.

Now on to official bilingualism. Canada is bilingual, but it is not homogeneously so. In order to reflect the genuine nature of Canada, bilingualism should only exist in the territorial sense, as it does in Belgium and Switzerland. Federal government policies which strive to force together the two language groups of Canada can best be described as a process similar to nuclear fusion, where the harder the two objects that are forced together, the more heat is generated. It is, therefore, essential that regardless of which other powers are decentralized, policies dealing with language and culture must be provincial responsibilities only and must be completely free of any interference, reward, or punishment from the federal government. We must also get rid of executive federalism, and politicians must be forced by citizen-initiated referenda and recall to truly represent their constituents.

The issue of Senate reform is of great concern to many Albertans. The current model being waved about by Joe Clark of regional versus provincial equality is completely unacceptable. The difficulties of getting all western provinces to agree on a particular issue is well known, and it has been said that the segregation of the Canadian west into smaller provinces was designed for that exact reason. Therefore, the only Senate model which Alberta should be prepared to accept is triple E.

In closing, we believe that Canadians are overgoverned, with an ever increasing oppressive labyrinth of laws and infinite constitutional challenges, for many of which taxpayers pay for both sides of the argument. We would be wise to recall and bear in mind the Chinese proverb which says that a nation on the brink of collapse has a great many laws.

Thank you.

MR. CHAIRMAN: Thank you.

MR. N. ALTENHOF: The rest of the comments will just be from the position paper we put in earlier, a couple of months ago.

One thing we found about our Constitution is that a Constitution is nothing more than what the people have laid out as rules to be governed by. That's what it is, very basically. Like Winston Churchill said one time, government is the servant of the people and not its master. I cannot tell you how annoyed I have been in the past five to 10 years regarding the constitutional hassles in this country. We have to overcome that. We have to overcome it for various reasons: the nation is going to fall apart, we are so far in debt as it is already, and if we don't come together very soon financially and constitutionally, we will be little orbiting places around the Americans.

Now, in your presentation, in the book that we got from the Alberta government, some of the questions that were asked were very straightforward. Others were extremely complex, like, "Do Albertans agree on the appropriate balance between national objectives and regional diversity?" The answer is just no. There was a lot of talk this morning about setting national standards. Sure, it's easy to set national standards, but then how do you equate with hospital care at Cambridge Bay, Northwest Territories? How do you go to Come by Chance in Newfoundland and talk to somebody about education? They haven't got the money. It's easy to set a national standard, but then maybe it's very difficult for the province to carry out this mandate, and this is what we're having right now.

Probably one of the most important ones was: how do you protect the interests of minorities nationally? No doubt Canada is a multicultural society, but you know, really so is the United States, and they seem to be able to hang on to their culture. There are places in Chicago where you walk in and you'd think you were in Poland. It's the Polish capital outside of Poland. Go down to San Francisco in the United States. Their Chinese society has done fairly well down there.

How would we do it? Well, we can go around and try to protect all these little special-interest groups, but then everybody has rights. Now, where are the rights of the average individual? How do we balance the rights of the minorities with those of the majority? That was the question that was asked. Well, as Ev alluded, we just don't. We just give everybody the same rights. You know the old saying: your right to swing ends where my nose begins. It doesn't matter who it is. It doesn't matter whether he's black, white, speaks French, Greek, or who he is. We were rather impressed this morning with Jack, the second presenter. He is our kind of guy. He comes here, he's here for a purpose, to better his life, and he should be given all the reins to go ahead and do that. His children and his children's children will think the same as my brother's do, because we're from the same stock but of an earlier generation. My dad and my granddad always impressed that upon us. Sure, be proud to be a German, but by God, pal, you're a Canadian. Okay?

"Should Senate reform remain a priority for the Government of Alberta?" Yeah, we think that it should, but not to the exclusion of everything else. "Is executive federalism good for Canada?" We heard one presenter today say that it has been good; it has been acceptable; there have been some disasters. We think it has been an absolute disaster, particularly in the last 20 or 30 years, with a debt that is choking this country to death, absolutely. "Should the Constitution entrench First Ministers' Conferences?" Never in a million years. We don't want to entrench anything like that. We're not going to leave it up to those people. These kinds of things, constitutional change, like we said earlier, should be by the people.

"Should there be a constitutional requirement for regional representation on the Supreme Court?" We just said no. Let's have the best guy do the job. He can go through a process somewhat like they do down in the States, where he's grilled and so on and so forth. We can even elect them if you wish; it doesn't really matter. I suppose those are things that they do down there too. "Is the goal of economic efficiency our priority as a nation?" It clearly isn't now, but by gosh, it should be. The gentleman that was sitting in this chair here just - what? - five minutes ago made it very clear, and he's the expert on it. We are not experts on this in any way, shape, or form.

What is the most appropriate way to deliver efficient social services across the nation? That is an extremely difficult point because of what I said earlier. The country is so diverse, so

large, that it's very difficult to make sure that it is uniformly applied, like I said, at Cambridge Bay; Come by Chance, Newfoundland; or Calgary, Alberta.

Environment. That's a topical thing now. "Who should have the final responsibility" for environmental affairs? We say the federal government but not just exclusively the federal government; we have to have interprovincial meetings.

Should additional rights and freedoms be protected under the Charter? Absolutely not. The Charter should be so simple and should be directed to every Canadian. How does one balance individual rights with the needs and interests of society as a whole? I suppose the question we could ask you is: who defines needs and interests if not society itself? We should be the ones that define how we want to live. Do we want to have a medicare system where everybody can go in and get a heart transplant when they need it, or will the governing factor be: how much money are we willing to put into hospital care? It's that simple.

12:08

MR. CHAIRMAN: It's that simple? I'm sorry, I don't want to interject, but that's very complicated. That's a very difficult question.

MR. N. ALTENHOF: No, no. I meant to say that it's that simple that it comes down to the simple issue of who is going to pay for these services at the end.

MR. CHAIRMAN: Oh, okay. Thank you.

MR. N. ALTENHOF: That's what I meant in that regard.

Now, you ask a lot of other questions in there. We're certainly open for any questions you might have.

MR. CHAIRMAN: Thank you very much. Questions?

MRS. GAGNON: Could I just ask about the heart operation? Let's say, to follow up, that - I don't know who I could use - Peter Pocklington arrives at the Foothills and he's got \$50,000 for a heart operation but the beds have been closed because they don't have staff, you know, for good, sound economic reasons. Should he, because he can pay, get that surgery or not? Are you talking about universal access based on the ability to pay?

MR. N. ALTENHOF: Well, I mean, I've got no hang-up with universality. I've lived in St. John's, Newfoundland, and I've lived in Victoria, B.C., and I know that I could go to the hospital if I broke a leg and so on and so forth. What I'm saying is that as we get further in debt, as these things become increasingly more expensive, the standards, so to speak, would have to be lowered and we probably will end up with a double system. You asked me about Peter Pocklington. Well, I can tell you that Jean Chretien and Bourassa with cancer problems - they go down to the States. I wonder.

MRS. GAGNON: Well, maybe because they can pay to get what they need down there; I don't know. I'm not saying whether that's good or bad; I just wanted you to pursue that, that it wasn't that simple. It is an ethical thing and an economic matter altogether.

MR. N. ALTENHOF: Right.

MRS. GAGNON: I had another question, and I think it dealt mostly with the environment. You seemed to gloss that over just a little bit, but I know you've run out of time. You want to see more federal jurisdiction overall in that area?

MR. E. ALTENHOF: No, I don't think that was really what we meant to say. What we meant to say was there are certain aspects of environmental concerns that have to be federal because they go beyond provincial boundaries, so it's going to require federal/provincial co-operation to come up with some sort of agreements. Then once those agreements are set, they have to be applied universally, and I mean universally. I mean, if they're going to apply to the Oldman River dam, they are going to apply to the James Bay project as well.

MRS. GAGNON: Okay.

MR. CHAIRMAN: Well, thank you very much, gentlemen, for giving us your thoughts and for having responded to our discussion paper. It wasn't easy to answer everyone's questions, I know, but I appreciate your efforts.

MR. E. ALTENHOF: Do you have copies of this thing?

MR. CHAIRMAN: Yes, we do.

MR. N. ALTENHOF: Well, I just want to wish you good luck.

MR. CHAIRMAN: Thank you. Well, it's a challenge, because we're hearing some different points of view.

Ed Carter, please.

MR. CARTER: Mr. Chairman, ladies and gentlemen, good morning. First of all, my thanks to the Hon. Jim Horsman and his committee on constitutional reform for the opportunity granted me to speak to the committee. I'm not speaking on behalf of any organization but rather as a concerned Canadian.

A word about myself. I am married, we have two adult sons, we reside in Calgary, and I am retired. I'm a veteran of the Royal Canadian Mounted Police, served at seven points in Saskatchewan, and have lived in Alberta at Innisfail, Red Deer, Peace River, Medicine Hat, Edmonton, and Calgary.

There is, of course, no possible way in which one person can rewrite the Constitution, but I wish to put forward my thoughts on what I believe to be the most important aspects affecting Canada in the hope that these suggestions will be considered by the bodies that will eventually put together the Constitution on which I hope we all may one day vote by referendum. It becomes easy these days to declare anyone who dares to express what he believes in as a redneck, but with this in mind here are my thoughts.

The federal system. The first item: it is critical that we maintain our federal system. In a country as widespread and diversified as ours we could not operate under a unitary system which provides for no regional governments, all legislation being under the control of one central government. Great Britain is an example of this, and it operates efficiently in a country small in size, but the federal system is a must for a country as large as Canada. This system provides for certain powers which affect the country as a whole to be legislated by the federal government, at the same time allowing local governments to control our own areas and have powers over matters more local in nature. Inevitably there are a few areas of authority which must be shared.

**Monarchy.** We should retain the monarchy as the head of state. This system has worked well in Britain for hundreds of years and extends to Canada in the form of our Governor General and Lieutenant Governors. This provides a stabilizing influence so that if a government falls, the country is never left without a head. The monarchy or the Governor General immediately calls upon a statesman and party to form a new government which will retain power at least until a new election can be called.

**The Senate.** The Senate has a distinct purpose in our parliamentary system, but not the Senate as we know it. One must seriously wonder why we have a Senate at all after all the blowing of kazoos and reading from pointless lists by the hour while the costs pile up against the taxpayers. A triple E Senate is the answer. Appointed Senators usually follow the wishes of the party that appointed them. Accordingly, a party in power over many years plugs the Senate with its appointees. The Senate should be the voice of regional concerns and should be elected on the basis of regions. It should not have the power to block legislation passed by the House of Commons but could send a Bill back for review with suggestions to amend and would thus be a body of sober second thought, as has quite often been mentioned.

**Regional affairs.** At the time when Canada was formed from Upper and Lower Canada, there was nothing much more than wilderness in the west. The situation has now totally changed, and our country is now comprised of four regions: Ontario, Quebec, western Canada, and the maritimes, each regionally different in nature. We certainly do not need another level of government, but some provision should be made so that when a Premier or group of Premiers of a region puts forth suggestions for consideration, then the other regions and the federal government should be tuned in.

**Bilingualism.** This has been one of the most divisive forces since it was enforced some years ago, to the point that we now have bilingualism at a cost of two-thirds of a billion dollars annually at a minimum, yet the Quebec government nullifies it by refusing to allow even signs in English while the rest of Canada is stuck with it. We are living on the North American continent, where English is the prevailing language. Whether Quebec goes or stays, the bilingual system should be scrapped, letting each province operate in one official language of its choice. If I travel in Quebec and cannot speak their language, then I am the loser, the same as if I travel in any other foreign country. But the same applies to Quebecers. They are the losers if they come out and cannot speak English. Why should the rest of us be forced to accommodate them? The cost of paper, printing, translating, education, and commercial expenses is exorbitant. Minority-language education should be eliminated except as an optional school subject.

**Multiculturalism.** This may not come under the scope of the Constitution. It is a fine thing for any ethnic group to preserve its own language and customs, but these should be sponsored by each group. There should be no interference or assistance from the government. I always admire these customs, and it is pleasant to go to a display, but the government is not promoting the philosophy that we are all Canadians. They are, in fact, emphasizing our differences, and the tendency of the political parties is to promote multiculturalism as a vote-getter by catering to all groups.

12:18

**Quebec.** Personally, I feel that Quebec should pack up and go. A recent survey by a Calgary TV station resulted in 79

percent of phone-in callers feeling that Quebec should separate. Quebec has never been and never will be satisfied. Their attitude seems to be how much can they squeeze out of the rest of Canada, always demanding more privileges yet not willing to concede anything. They don't even operate under our system of British common law but instead operate under the French Civil Code.

**Veto.** Whatever happens in the case of Quebec, no province should be granted any special privileges over any other province. There should definitely not be a veto by any province, as this would give them the whip hand over anything the balance of the country wishes to institute. The notwithstanding clause should be eliminated. By using this clause, any province can bypass legislation from the federal government as would suit its own purposes.

**Supreme Court.** Under our Charter of Rights many decisions end up in the Supreme Court. Does it seem proper to have such a small body of appointed persons turn down a law which has been passed by Parliament? The final say should surely come from our elected representatives when they enact a law. However, let us never get into a system of elected judges whose judgments are then swayed by what will most impress the voters at their next election.

**Charter of Rights and Freedoms.** This has totally altered our society and way of life for the worse. It should be remodeled and reworded as a charter of rights and responsibilities. Many individuals and organizations seem to believe that this Charter gives them the right to override the rights of others without any responsibility. The newly coined phrase "political correctness" implies that it is unacceptable for anyone to even mildly criticize any person in a minority group, even if done so fairly. The thought seems to be that minority groups can say or do what they like to our society and we should stand humbly by and never retaliate. Surely the right of free speech does not entitle one to publish hate literature or to besmirch others. Where does one group get the right to tell us how our RCMP should dress and even that their children have the right to carry daggers to school? Individual rights must give way to the rights of society. The tendency now is to subordinate general rights to the rights of individuals or special interest groups, implying that individual needs or those of special groups must be met regardless of the greater community. A democratic system requires responsibility to be accepted by the people.

**Recall.** There has been much talk recently of the power of the electorate to recall a Member of Parliament. It would seem that if an MP fails to act for the wishes of his constituents after he is elected, then there should be a process whereby they can recall him and have a by-election to possibly replace him. Great care should be taken with this, however, and such a process, if allowed, must have clearly defined steps of progress. It is apparent that if an MP becomes a cabinet member or sits on a committee, then he must act for the government and Canada as a whole rather than solely for the wishes of his own constituents to the exclusion of the benefits of the entire country. At the same time, governments, parties, and MPs should be more responsive to the wishes of the people.

**Referenda.** If our Parliament makes a decision, that is the reason for which they were elected, to make decisions. There is no way we can have government by everybody in the form of referenda. In rare cases – abortion, for example – when the government can come to no clear-cut decision, arrangements may be made to hold a referendum for guidance. There could be a proviso in the Constitution to allow for this, but in no way

should a government be forced into a referendum on every question.

Immigration. The federal government should be totally in charge of immigration. Immigrants come to Canada as a country, not to an individual province, and once in this country are free to move around as they wish. Two-thirds of immigrants to Quebec move to other provinces within five years. If Quebec had control of their immigration, they can and will specify Francophones only.

Amending formula. As times change and the years progress, there will surely be a time when any Constitution will require amending. Accordingly, no Constitution should be chiseled in granite. There must be some formula to provide for amendments. This formula should not allow changes on any whim, but neither can it be so restrictive as to prohibit any alterations. This may be one area where the four regions might come into play. No veto should be allowed any part of the country, as this would only nullify any plans of a democratic process.

Constituent assembly. The Constitution should be formulated by a group which is not bent on making political hay in the process or on creating a name for themselves. An assembly could be formed of noted citizens and ordinary people from all regions of Canada and given the power to write a Constitution. This appears to be a positive method to achieve the desired ends of the people, because it is the people that count, not our politicians alone. This assembly could include a few politicians, members of the business community; in fact, persons from all branches of our society. There should positively not be any political leaning by anyone in it while sitting in the assembly. It seems to me that about 300 such persons would be a good-sized group to bring forth all points to be considered and attempt to avoid any pitfalls. The Constitution this assembly eventually produced could be voted on by referendum, and if approved by over half the voters in at least seven provinces or three regions, then it could be passed by the House of Commons and the Senate.

The manner of selection of the assembly would of course be critical. One method I would suggest is that every MP, every MLA, every mayor and alderman of every large city each be asked to submit a list of three names. The assembly could then be chosen from the lists by lottery.

To end on a positive note, there is no other country in which I would rather live than Canada. Our Fathers of Confederation were able to create a Canada well over a hundred years ago. Surely with our modern skills and technical abilities we can write another, updated Constitution.

Thank you, Mr. Chairman.

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

MR. CARTER: I have a copy here, sir.

MR. CHAIRMAN: Thank you very much. We had a previous presentation from you. You've amended it slightly, and I appreciate your giving us a copy of that.

We are being very pressed for time, and I would ask that questions be kept very brief if there are questions.

MR. CARTER: As far as questions go, sir, I've just forwarded a lot of thoughts. I'm in no position to pass any judgment on those thoughts. I'd like those thoughts passed on to the powers that be for consideration, and let it go at that.

MR. CHAIRMAN: Thank you very much. We'll certainly share your views with our colleagues on the other panel. There's just one point that I'd like to make about constituent assemblies. We've been hearing that from some of the presenters, but we've also been hearing that we want the people to have the say. How do you allow appointed people to make decisions for you? If you don't elect the members of the constituent assembly, how do you know that they are reflecting the views of the majority of the people?

MR. CARTER: My basic thought is that elected people put too much pressure on the political aspect of it and they're making political hay out of this rather than looking at what is good for the country. I would much prefer to see a group of interested citizens who have no political leaning whatsoever put this together. My suggestion there, sir, was to have our representatives each name three persons – there would be thousands of names – and just draw them by lottery, and no political bent whatever.

MR. CHAIRMAN: Well, it's an interesting suggestion. Thank you very kindly.

We're going to have to adjourn now for a luncheon break, and we will have to be back here. We were supposed to be back at 1, but it will have to be 1:15, I think, in order to allow us time to have a brief bite of lunch. Thank you very much.

[The committee adjourned at 12:27 p.m.]