

8:43 a.m.

Thursday, September 5, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Okay. Perhaps we could get started. We have five members of the select committee who are unable to attend today. Perhaps there will be one more joining us, but we have enough, I think, to proceed.

We have the agenda before us, which includes first of all the approval of the June 20 committee meeting minutes. Has everybody had an opportunity of reviewing those? Are there any errors or omissions? If not, could I have a motion to adopt? Stan Schumacher. All in favour? Opposed, if any? Carried.

All right. Next we are going to talk about the public opinion survey, which has been discussed by a subcommittee. Each of us has now had an opportunity of looking at it, I would take it. We have Bruce Cameron, vice-president of Angus Reid, with us today. For those of you who haven't met him, he's seated next to Garry Pockock. He'll be taking us through that survey.

For your information only, you'll recall that a questionnaire was prepared and sent out by a number of our members, and we've summarized the results of those. They are, of course, informal, not scientific polling by any stretch of the imagination. Copies of the results from about nine constituencies are available. I'll give you copies of those just for your information as well today.

Perhaps, Bruce, you would like to take us through this process and indicate just how far you are. Apparently, you've done some field testing of the survey, whatever that is, and perhaps you would explain that to us and give us your comments on that as well.

MR. CAMERON: Sure. As people who have looked at the questionnaire realize, this is draft number four. We've gone through a number of revisions to the questionnaire up to this point. Once we got to this point, we pretested it. We conducted 10 pretests, which are actual interviews in real-life situations, to see first of all how long the questionnaire is and whether or not any of the questions need to be changed to make them easier to understand and easier to administer. When we went through that, we determined that the average questionnaire length is 25 minutes. In the terms of reference we had estimated, based on the budget, that the questionnaire length would be 20 minutes, so immediately there is a question there. This survey, as it sits now, is too long.

There are a number of options we can consider at this point. Basically, there are three options. We can cut the questionnaire by five minutes, which would involve a significant amount of cutting. The problem with that is that the subcommittee has gone through this questionnaire very thoroughly, and this draft represents a lot of compromises and a lot of things that went on in that process. So cutting it by five minutes may be a difficult task at this point. The other option is to decrease the sample. We had talked about a sample size of 1,200. We could decrease the sample size to 1,000. The negative to that is that the margin of error would be reduced somewhat, particularly when you look at it on a regional basis, if you wanted to look at it in different regions of the province. The third option is to increase the budget for the project. The questionnaire length is about 20 percent longer than we thought. That would incur about 15 percent more costs, so the budget would rise by 15 percent. So those are the three options even before we get into the specifics of the questionnaire.

MR. HAWKESWORTH: Adding 15 percent equates to a dollar figure of what?

MR. POCOCK: Approximately \$7,500, I believe.

MR. HAWKESWORTH: Okay.

MR. CHAIRMAN: Well, I don't think we can make that decision until we've perhaps [not recorded].

I have a couple of questions I'd like to pose to you. Having gone through it, it seemed to me to be very long and difficult to get through. And not having been involved in asking these types of questions and having only been polled once in my entire life, I was curious as to whether or not you'd get people to take the time to go through this extensive process. If people are not prepared to take the time and answer the questions, how do you rate those people?

MR. CAMERON: There is a certain percentage of people who refuse to go through a questionnaire. Typically that's about 15 to 20 percent of people who, when we talk to them on the phone, just don't want to do the survey.

Depending upon the subject matter, you can keep people on the phone for a fairly lengthy time. In this case, there was one questionnaire in the pretest which went on for 49 minutes. This person was offering comments and interpretations of the questions and really expanding on a lot of things. Now, that's an example of what I think will occur when we go into the field with this. It's a relevant topic and it's an important topic for people, and in the pretest we didn't find any extraordinary rate of refusals. It was an average rate of refusals. We've done surveys in the past about constitutional issues and issues about national unity, and typically people want to respond and will stay on the phone upwards of 30 to 40 minutes. So a questionnaire length of 25 minutes isn't too long to administer. Some people will get pretty weary, but generally I think there's enough interest in this topic that it won't pose a problem.

MR. CHAIRMAN: I don't want to be critical in the extreme, but it seemed to me as I read through it that it was almost like a political science 300 examination, in a sense. I just wondered if you were getting that rejection rate, people saying: "Listen, I don't know"; "I can't be bothered"; or "I don't know enough about it. Don't ask me." You say you normally do get up to 15 percent of people taking that attitude.

MR. CAMERON: Uh huh. During the pretest we asked the people who do the pretest to give us comments about particular questions that came back from respondents, and there are a couple of areas which we would do some revisions on because the respondent wasn't clear about the question or it could be phrased a little clearer. That might help.

MR. CHAIRMAN: Okay. Well, maybe you could take us through those; in other words, the results of your pretest as to what questions were difficult for people and so on.. It would be helpful if you would do that, and it would give us a better idea. Okay?

MR. CAMERON: Okay. The most difficult question for people was the series of questions starting on page 3: questions 6, 7, and 8. It wasn't so difficult that we didn't get the responses, but I think that in the phrasing of it, we will attempt to make it a little clearer. One of the things that happened was

that people started saying yes – for instance, for "Social services and income support programs such as unemployment insurance, welfare and others," 6(a), somebody might answer, "Yes, I want it exclusively federal," but then put a caveat on that, and say, "In this situation . . ." They started to expand on things. Now, in the actual administration of the survey, we'll make sure that we just say, "There will be other questions on this," and get the interviewers to tell people to just try to limit their answers to that phrase. So just in terms of that question, I think some interviewer instructions and a good briefing will help. It was a little burdensome on some people because there are a lot of issues there.

8:53

MS CALAHASEN: On 6, 7, and 8?

MR. CAMERON: Yeah. In particular, 6.

MS CALAHASEN: Just a question, Mr. Chairman.

MR. CHAIRMAN: Yes.

MS CALAHASEN: Was it dealing with the jurisdictional issue? Was it dealing with the standards? What areas seem to confuse people?

MR. CAMERON: Well, one of the issues is that initially when they started in on question 6, some people started thinking, "Well, do you mean standards?" They were trying to probe . . .

MS CALAHASEN: Authority.

MR. CAMERON: Yeah. And the way the question is phrased is that we have alternate authority in a number of areas of jurisdiction in 6. This one's the overall authority; 7 becomes "common standards," and 8 is "responsibility to manage and administer." Once people get through to question 7, they start to catch on: "Oh, I see, you're going to be asking me in a number of areas." After question 8 one person said that they liked this questionnaire because it asked them the same thing in a different way, and it would catch people who are, as they put it, asleep at the switch, and cancels out negative remarks. That's the kind of thing that through the number of revisions we did, we ended up, I think, covering that issue very thoroughly.

MR. CHAIRMAN: Okay, Pearl. Did you have a supplementary?

MS CALAHASEN: Well, then you were able to sort of determine what questions should go first versus what should be following?

MR. CAMERON: Well, do you mean the individual statements underneath: (a), (b) . . .

MS CALAHASEN: Yeah, the individual statements as well as whether it's jurisdictional or whether it's the standards. Should it be standards coming first and then the jurisdiction and then the authority or the responsibility?

MR. CAMERON: No. There wasn't a problem with the ordering of 6, 7, and 8. In fact, within each of those questions we rotate those statements. So we would start with immigration

sometimes. We would start with a different aspect, and it would be rotated through.

MR. CHAIRMAN: Okay. Barrie, and then Fred Bradley.

MR. CHIVERS: So your point, Bruce, is that in order for people to properly appreciate the dimensions of the questionnaire, the parameters, they need to know before they answer question 6 that there are questions 7 and 8 that deal with different aspects or different dimensions of the same issue, and that that can be handled by instructions and briefing.

MR. CAMERON: Right. In fact, that's what may help, and we'll test this out. It's just a little preamble to the whole series of questions saying, "First we want to talk about the ultimate authority, then we're going to talk about common standards, and then administering those programs and services," because that may put them at ease.

MR. BRADLEY: My question is along a similar vein. If one gets to, say, 7 or 8, does one have an opportunity to go back and say: "Gee, now you're asking me about this. I'm going to change my answer in terms of those in authority." Do people have the opportunity to go back and say: "Now I know all the questions you're asking. Having thought about it, can I go back and change my initial response?"

MR. CAMERON: Well, that typically doesn't happen.

MR. BRADLEY: So an individual doesn't have that opportunity to go back and say: "Hey, pollster, let's go back to question 6. I want to go through that again."

MR. CAMERON: Well, they do. If they wanted to go back, and they said to the interviewer: "Hang on. Back in question 5, what did I say about that? Read that to me again," the interviewer would read the question to them again.

MR. BRADLEY: And they could change their response if they so wished.

MR. CAMERON: Yeah. Now, typically that doesn't happen. One of the reasons we order them in the way we do is that we don't want the questions that are more specific contaminating the more general questions, because typically you start off with a very general question and then get much more specific.

MR. BRADLEY: I can see where if you start at 6, expansion in terms of what's coming ahead for 7 and 8 would be useful.

MR. CHAIRMAN: Okay. Is everybody clear about the concerns that are delineated there with respect to this particular note?

Okay. Would you take us, then, to the next?

MR. CAMERON: The only other things were small issues. For instance, one person said that they just weren't qualified to talk about the Charter of Rights and Freedoms. Well, in many ways there are a lot of areas like this. That's page 5, question 9. We got an answer in the pretest: "I don't feel I'm qualified to talk about the Charter of Rights and Freedoms. I don't know what it says." That is a valid response, and in fact we would put that down as an "Unsure" or "Don't know." But that's the same with a lot of these issues. A number of these issues are fairly

complex. We're trying to put them as simply as possible, and if people at that point, after going through them in as simple a fashion as possible, really aren't sure, we just take it that they don't know. We're going to get a certain percentage of people on different issues that are going to be unclear about it. That is going to happen, and I think the comment that it seems lengthy and very involved is a valid one. This issue is not the easiest one to try to poll, but I think this format, based on other polls that we have done in this area and the conversations we've had and revisions we've done, has come up with a survey that is as clear as it can be while covering the complexity of the issues.

MR. CHAIRMAN: Okay. Gary Severtson.

MR. SEVERTSON: Bruce, then if on 9 they answer "Unsure," do they go on to 10? Do you skip the unsure one?

MR. CAMERON: We typically ask question 10.

MR. SEVERTSON: Well, why would you ask question 10 if they don't know what the Charter of Rights is? You're getting them to agree or disagree on points of the Charter when they say they don't understand the Charter.

MR. CAMERON: That's a good point. Sometimes in other surveys, if people aren't sure about something, they skip right through that section. In this case, because we wanted to test the length of the questionnaire, we said, "Ask every question." We could put a note there that if people are unsure or don't know, to skip past question 10. You know, you're going to get people . . . But the problem with that is that in question 9, we're asking people's opinion on whether they think the Charter has been positive or negative. Well, if they're not sure, and they think, "Well, it's sort of been positive, and it's sort of been negative, and I'm not quite sure about it," but they have an informed opinion, that's different than just not knowing anything about the Charter.

MR. ADY: Well, why don't you put a question in there asking if they have a basic understanding of the Charter before you ask question 10? Why don't you ask them that question? If they say, "No, I don't," then it would seem redundant to ask question 10.

MR. CHAIRMAN: Okay. We will have to come back to this, I think, as we go through it again, but I think you've identified a concern for us from your test, and we should make note of that.

Yes, Barrie.

MR. CHIVERS: Jim, I know you want to come back to it later, but I just want to make a point now because it seems to me it's an important principle of polling and Bruce has already mentioned it. It's moving from the general to the specific, and you followed that same pattern with questions relating to the Charter as you have with a whole number of other issues. It seems to me that it invalidates the whole principle of the poll if you remove a general question or specific questions. If you eliminate people from having the opportunity to respond to the specific questions on the basis of an answer that they've given to the general one, that just seems to me to be professionally not a correct way of doing a sample.

MR. ANDERSON: We're coming back to discuss these two questions, are we?

MR. CHAIRMAN: Yes, we are.

MR. CAMERON: Yeah, we'll come back to them.

MR. CHAIRMAN: The points we're into now really are that Bruce is outlining what they've discovered and some difficulties. Anything else?

MR. CAMERON: Just some general comments. Again, some people expanded upon some of the issues that we had raised in, for instance, question 13. That looks like a much more difficult question to answer than it actually is. There was no problem with people answering the question. The one thing that happened is that people insisted on trying to give us a qualifier when they said, "I could accept this, but within certain limits, and if this is that." You know, all we want to know there, the purpose of this question, is to make sure we know whether people support or oppose different options, and if they oppose them, how flexible they are on it. Whether they support it or oppose it, are they flexible enough to say, "Okay, that could be left out of a deal," or "That has to be included in any deal"? In fact, it worked well that way, but again, we had people expanding and giving us some comments about how they would qualify their answers.

9:03

MR. CHAIRMAN: What they're telling you is, "Yes, we want Quebec, but not at any price."

MR. CAMERON: Exactly; within limits. In fact, somebody said they could accept Quebec, recognize it as a distinct society with expanded powers to protect that distinctiveness, but within limits. And they won't have to say what those limits are.

MS CALAHASEN: We're going back anyway.

MR. CHAIRMAN: Yeah, we are. Okay.

MR. CAMERON: So that's basically it. Other than that, the questionnaire flowed quite well and it was easily understood, although it is longer than I had anticipated.

MR. CHAIRMAN: Yes, Yvonne.

MRS. GAGNON: Two questions. First of all, Bruce, how do you select your random 1,200? Through the phone book?

MR. CAMERON: It's a computer-generated sample. It's a random digit dial sample. It's picked by census districts according to Stats Canada.

MRS. GAGNON: So you're sure you have so many per region of the province? You try and fix that, kind of?

MR. CAMERON: In fact, it is. It's representative of the proportion of the population in each of the different areas of the province. Within each of those different CDs, everybody who has a telephone has an equal chance of being selected.

MRS. GAGNON: I see. Okay.

My second question: if we decrease the sampling from 1,200 to 1,000, how seriously would that change your margin of error or the verification of this whole thing?

MR. CAMERON: By about 1 percent on the total sample, which isn't a lot, but significantly more on the regional samples. If you wanted to look at southern Alberta, it's different from northern Alberta. It might increase the margin by about 4 percentage points.

MRS. GAGNON: A last question: in other situations where you've done polling and for some reason or other you had to make some changes, of those three options, which option would most people choose? Do they like to spend more money – because in some ways that's the easiest thing – make the hard decision about cutting, or cut the sampling?

MR. CAMERON: Well, on private-sector studies we've done, often they get the hatchet out and cut the five minutes. But with the sensitive nature of this survey and the number of issues we're trying to cover, I wouldn't recommend trying to cut it five minutes; I'd recommend increasing the sample, because I think the importance . . .

MRS. GAGNON: Decreasing?

MR. CAMERON: I mean increasing the budget as the option.

MRS. GAGNON: Oh, okay.

MR. CAMERON: We've already gone through a number of revisions, a series of discussions about the questionnaire, and this is after – much later – what we came up with trying to cut, because it was initially much longer than this even.

MRS. GAGNON: Do you feel this is a really good questionnaire as it is overall, because of the work that's gone into it?

MR. CAMERON: Yeah. I think it probably can be improved more right now, and we could possibly cut it from here slightly, but I think if we cut it by five minutes, we will end up gutting some of the important elements.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Any other questions before we start going through?

I have a question about the demographics portion. I take it that you ask the questions on pages 12 and 13 in order to determine whether or not you've got a representative sample, right?

MR. CAMERON: Partially, yes. There may be some major differences between different demographic groups in the province on this issue, so that would be another reason to look at it.

MR. CHAIRMAN: Okay. So you get that type of analysis of the results as well.

MR. CAMERON: Yeah.

MR. CHAIRMAN: Okay. In general, then, I have a couple of questions I want to pose to you about the nature of the thing

itself. I am curious as to why you don't start the whole questionnaire with question 11. It strikes me that in order to get people thinking about the issues, why not start out with what you have there, because everything else, it seems to me, flows from that group of questions. Not everything entirely, because you've got Charter issues and so on, but it strikes me that that is the question that I would want to put up front, and I'd just like to know why you put it so far back in the survey.

MR. CAMERON: I think that's a valid point. Typically, we put it farther back because we talk about some of the more direct provincial issues before we get into the overall federal situation. But I wouldn't have a problem with moving that question. I would have to take a close look at it, but I think it would fit – you're right – and that is one of the central questions. We've asked that question on a number of different surveys, and it has been the central issue before we get into the federal matters. That's why it was there initially. It was because we're starting to talk more specifically after that about . . .

MR. CHAIRMAN: This is the general question if you talk to somebody. You say: "Well, what do you think about Canada today? Is our present federal system sort of okay, with some tinkering?" In other words, the same type of federalism as we have today. It seems to me that's worth thinking about, so that's one point I want to make.

I don't want to jump around too much, but the other thing that I had a question on was question 13. It seems strange to me that in the middle of a number of questions which relate directly with Quebec – (a), (aa), (b), and (d) – you've dumped a triple E Senate question. It doesn't seem to me to fit in that particular section at all, I think.

MR. CAMERON: In fact, we had a number of other statements in there and, over the number of revisions we've done, cut out some other statements. It ended up leaving that one statement in there with all the other Quebec statements. I mean, that's a valid point. I didn't realize that, because I think we had about three other statements before we got back down to these five.

MR. CHAIRMAN: Well, it just seems strange that sandwiched in between questions relating solely to Quebec, you would bring in the triple E Senate. Maybe it needs to stand alone or something.

MR. CAMERON: John McDonough just reminded me that what we had done initially was move some of the statements from question 13 to question 19 to get just a level of agreement with the statements. Now, we could do the same thing with triple E Senate reform, but I think most people here would know the answer to that or be able to estimate the answer to that. From the previous polling we've done, most people in Alberta would strongly agree.

MR. CHAIRMAN: Okay. Well, I think maybe it needs to stand alone or something. It shouldn't be sandwiched in between (b) and (d). It doesn't make sense to me.

You see, we have to recognize that our Legislature has twice unanimously supported the triple E Senate, and therefore it is the official policy of the Legislature of Alberta until such time as another resolution would be passed to change that. As you say, most Albertans, we think, would support it. Nonetheless, I think we have to test as to whether or not this public opinion

poll supports what is in effect the official position of the Alberta Legislature – not the government but the Legislature itself, having passed those two unanimous resolutions. So I think we've got to single that out rather than lumping it in the way it is put in there. So I think that change would have to be made.

MRS. GAGNON: Could I comment, please?

MR. CHAIRMAN: Yes.

MRS. GAGNON: Thirteen is about a new constitutional arrangement, not about Quebec, right?

MR. CAMERON: Right.

MRS. GAGNON: So I think what Jim has illustrated here is that while it's supposed to be about the global thing, about the arrangement that we're going to make in this country, it seems to be all about Quebec except in one instance. So you're either going to have to mix it up more, have more mix in there, or make it all about Quebec. I think there has to be a decision one way or the other about this. I know what you're trying to do. You're trying, maybe, to avoid some of the tough things that the committee got into during the discussions. Mind you, you still have 15 there. Jim says it's about Quebec, and yet it's supposed to be about a constitutional arrangement. There's more than Quebec involved in that. So I can see the confusion.

2:13

MR. CAMERON: If I can make a comment about 13(c). Rather than just finding out Albertans' level of support for a triple E Senate – and we can separate it from this question – I think asking that follow-up 14(a) and (b) is important on that. If people support it, does it have to be in a deal for Albertans to really feel that the new constitutional deal reflects their concerns, or could it be left out? Is it something that they're willing to forgo in the interests of making a deal happen?

MR. CHAIRMAN: No doubt that's an extremely important question that has to be asked. I don't think there's any doubt about that.

Fred.

MR. BRADLEY: Just on this line of questioning in 14(a) and (b), this concept of reaching a deal. I think Canadians looked at Meech Lake as being a deal. Is there another word you can use than "deal"? It seems like it's a deck of cards, and you're coming to something that's . . .

MR. ADY: Well, an agreement.

MR. BRADLEY: Yeah, I was going to suggest "agreement." We have that earlier. "Deal" just seemed to me not to be the type of word we should be using when we're discussing our Constitution.

MR. CAMERON: "Arrangement" or "agreement."

MR. BRADLEY: "Arrangement" is a much better word.

MR. CHAIRMAN: You could just reword that a little bit. That's a good point.

Okay. Those are the two points specifically that I wanted to raise to you from my analysis of it. Does anybody else wish to comment on any of the other issues?

MR. ANDERSON: Mr. Chairman, I was on the subcommittee, but I did mention to them that I had concern with question 10, which deals with the Charter of Rights and Freedoms, and that I'd be likely to raise it today. I feel that in that particular question we haven't given people any option except enhancing the Charter, and we haven't tested, except by a general statement in 9, their understanding of the Charter. I'd suggest a real change to the preamble to the question before you get into (a), (b), and (c). It might be something like: do you agree or disagree that the following should be determined by the courts through the Charter of Rights and not by elected federal and provincial representatives? I do feel that as it's currently worded, it leads one to just enhance rights without allowing them the option of determining whether that should be done by governments as opposed to by an entrenched Charter.

The other point there is that I think if we're going to include that list, the question of property rights should probably be included.

MR. CHAIRMAN: Okay. Any questions?

MR. CHIVERS: Mr. Chairman, I wanted to just respond to a couple of points that have been raised about this. I'm not sure how you want to handle the meeting, whether you want to sort of have discussion on the issues that are placed on the table or have everybody put their issues on the table.

MR. CHAIRMAN: No. Dennis has raised one, however, if we want to respond to his concerns at the present.

MR. CHIVERS: Okay, could I just respond to that?

MR. CHAIRMAN: Yes.

MR. CHIVERS: I have no objection to adding another section to deal with property rights. That doesn't concern me. But with respect to Dennis' suggestion that we haven't tested in the questionnaire for people's understanding of the Charter, I agree, but we haven't tested them for any of their constitutional knowledge anywhere in this questionnaire either. Normally, you don't. The purpose of polling isn't to decide whether people are experts or knowledgeable about the subject matter they're being polled on. I don't think it's a valid point that the questionnaire has not tested to determine people's understanding of the Charter and that it hasn't tested to determine their understanding of the division of powers or any of the other complex Charter issues. That's the reality of polling.

With respect to Dennis' suggestion that there should be a question in there with respect to whether or not people believe that these sorts of issues should be determined by unelected judges or by the Legislatures, I think that's exactly the kind of skewed questioning we've avoided in this questionnaire, and I hope we'll continue to avoid it in the questionnaire. I'm personally quite pleased with the job the subcommittee has done in putting this questionnaire together. I appreciate how difficult it is to undertake that task, and I appreciate the efforts of the subcommittee and the compromises they made in order to arrive at the point that we are.

I think the risk we have here today is that if we start dealing with these questions on an individual basis, we're going to be

into a very, very lengthy and difficult process, where as a whole committee we're going to have to go through the same sort of process of analysis and understanding of the questionnaire and compromises and trade-offs in terms of the writing of the questions that the subcommittee did. It seems to me that would defeat the whole purpose of having the subcommittee deal with the questionnaire in the first place.

I want now, Mr. Chairman, to turn to the two points that you raised. With respect to 13(c), dealing with the triple E Senate, I understand your point, appreciate it. I have no difficulty in seeing that matter framed independently. I think you're correct to point out that it doesn't fit very well sandwiched in the place that it is.

With respect to the issue you raised with regard to the ordering of the questionnaire and suggesting that perhaps it should begin with question 11, the difficulty I see with that is that once you start rearranging the order of question 11, you're going to have to rearrange the ordering of a lot of subsequent questions. The general principle of polling is based on this proposition of general questions and specific questions, and in terms of the academic approach that's taken to polling nowadays, I'm sure some very well-thought-out principles have been applied in terms of ordering the questionnaire in the way it has been. I'm not necessarily against reordering it, but I think it's a more complicated proposition than simply taking question 11 and putting it at the beginning of the questionnaire.

Finally, Mr. Chairman, I wanted to make a point with respect to the three options Bruce has outlined to us this morning, leaving aside the content of the questionnaire, dealing with the length of the questionnaire as it's presently framed, those options being to cut questions, cut the sample size, or increase the budget by approximately \$7,500. It seems to me that all things considered, cutting the sample size would reduce the accuracy of the survey, and I think that is an unsatisfactory solution. If we start slicing out questions, I think we're going to once again get into the problem of detracting from the coherency of the document as it's presently framed, and that's going to raise some difficult issues for us to get a balance in terms of what questions should be eliminated. Unfortunately, I think the reality of the situation is that the best solution is the one recommended by Bruce, which is to increase the budget by the \$7,500. It's unfortunate that that's the case, but it seems to me that that's not an unrealistic way of dealing with this situation, particularly given the lengthy and complex and involved nature of the subject matter with which we're dealing.

9:23

MR. CHAIRMAN: Thank you, Barrie. Dennis, did you want to respond?

MR. ANDERSON: Thanks, Mr. Chairman. Yeah, I thought I should get back in. It sounds like Barrie and I are of certainly different perspectives on this. I wanted to respond specifically to the comment of an attempt to skew the questions. That's certainly not the intent of my suggestion. In fact, it's the opposite. I do believe that the skewing of response will take place with the question as it's currently worded. I do feel that people have a right to know what the options are with respect to that, and that should be indicated up front. I think indicating to them the differences between the Charter and dealing with it is not different. In fact, it's been done in a number of other sections where we've explained the different operations of government and have gone on to ask, in this style of survey, questions that are in fact explained as we go into them. I think

that's the fairest way to ask it. So I have a real problem with the answer being skewed as the questions are currently written and feel we should seriously consider a change.

MR. CHAIRMAN: Could I just ask for clarification, Barrie? You mentioned at the outset that you felt that what Dennis is proposing would be an effort to test the knowledge of the interviewee.

MR. CHIVERS: His first point was that we should test that these questions dealing with the Charter as they're framed don't disclose the knowledge of the respondents with respect to the Charter. My point is simply that that's true with the entire questionnaire, and it necessarily is so. When you're polling people, you're not testing them for knowledge; you're testing them for opinions.

MR. ANDERSON: Okay. If I stated it that way, that may not have been the best way to state it. In fact, what the question does is only ask about one way to deal with environmental issues, to deal with social charters, to deal with collective bargaining. At a minimum the people should have an opportunity to choose the other direction, which would be through their elected federal and provincial representatives.

MR. CHIVERS: Mr. Chairman, just to respond to that . . .

MR. CHAIRMAN: I think it's important to clarify the point here.

MR. CHIVERS: And I apologize because I may have taken unnecessary umbrage and focused too much on the way Dennis framed his proposal with regard to the distinction to be made between the courts and the Legislatures. I would have no difficulty with adding some additional material to this series of questions to enable that point to be canvassed, not on the basis of the wording he proposed but on the basis of perhaps dividing those issues into a couple of subquestions.

MR. CHAIRMAN: Okay. Well, I think perhaps the matter has been clarified in terms of the concern. I think there's a difference of opinion. So we'll have to resolve that somehow. But in any event, I think we can agree that we don't want to make this an examination of people's knowledge. Dennis, is that correct? You aren't suggesting that this become a political science examination.

MR. ANDERSON: No, not at all. But I'm suggesting that individuals should have the choice that they can make and that we know what that choice is. I don't think the survey will be particularly helpful to us if we only give them one choice to choose from and such laudable things as social charters and environment and so on are agreed to without knowing that that's a choice for that mechanism versus another.

MR. CAMERON: May I respond to that?

MR. CHAIRMAN: Yes.

MR. CAMERON: I don't think you can look at question 10 in isolation. Question 9 frames the debate which I think is the key point here and the key area of disagreement.

. . . some people say that it has had a negative effect by giving too much power to the courts, allowing them to overturn legislation

passed by elected representatives. Others say that the Charter has had a positive effect, by upholding the individual rights of Canadians even if it means ruling against some existing legislation. What do you think?

Now, that's in the very general terms. At that point, the central philosophical issue is framed for the respondent. Then going into question 10, we get more specific about whether they agree or disagree that these things should be included. Now, theoretically, if somebody said that they think it's had a negative effect in question 9, you would expect that in question 10(a) they would probably strongly disagree that there should be a social charter, and they'd strongly disagree that - you know, I'm including a number of provisions. So, on both aspects, I think we frame the overall debate in question 9 and get their attitude about it, and then we get their range of opinion, whether they strongly disagree or strongly agree to each of these options, in question 10. If there is a way to include another option such as property rights or some other things here and get their agreement on it, I see that as a valid issue, but I think as it's framed here, it is a balanced question. It's not leading in any way, negative or positive.

MR. ANDERSON: With respect, I wouldn't reach the same conclusion.

MS CALAHASEN: Neither would I.

MR. ANDERSON: The first one deals with the existing Charter and how it's been in operation, and the second one deals with whether we should enhance rights or enhancability for protection. To me they don't directly coincide, and I as a respondent wouldn't answer them in that way.

MS CALAHASEN: I agree.

MR. CHAIRMAN: Okay. Well, I think we have a difference of opinion here. You see, the questionnaire which was used by a number of our members: the Charter of Rights and Freedoms has been positive for Canada, and we want to add strongly agree, agree, disagree strongly, disagree, et cetera. The total count in agreement on that was 37 percent, and disagreement was 56 percent. Now, this was surprising, in a sense. But, in any event, once you get that question 9 asked - and perhaps asking it the way it's proposed here is a better way because it gives a little better understanding to the person being interviewed about the implications and makes them think about the courts' involvement, et cetera, rather than just a blunt statement.

Sorry; there are other people. I as chairman am doing too much talking. Jack Ady and Pearl want to get in.

MR. ADY: Mr. Chairman, I guess I'm coming at this from an entirely different perspective. I look at question 10, and I take it in the context of what we're all about, our committee and every committee across this country that's trying to come to some kind of proposal at a provincial level that may serve to keep our country together. I don't see anything in question 10 that's threatening our country's staying together. I don't know why some of these issues are in here. For instance, we're not having a constitutional upheaval in this country because somebody's being denied health care or housing or the right to organize, and as important as the environment is, that really should be served in another forum, as should all of those others.

For us to be considering entrenching some of these things in the Constitution or the Charter - I guess I'm just surprised to

see all of question 10 appear on the questionnaire at all. Certainly that's not why Quebec didn't join the Constitution of 1982; there isn't a thing on there that has to do with that. There isn't a thing on there that caused Meech Lake to fail. I just don't understand why that's there. If they must be there, then I think we could add another four or five pages of things that people would love to have entrenched. Retirement at age 45: we could really get ridiculous with this. I just wonder why in the world we would want to cloud the very important issues that are out there - the threatened breakup of Canada - with some of these things that could be settled in another forum. So I don't know why it's on there.

2:33

MR. CHAIRMAN: Well, I don't want to be terribly provocative, but there is an aspect of the Constitution with respect to the Charter which gave Quebec a great deal of trouble and the rest of us corresponding trouble, and that was the utilization of the notwithstanding clause with respect to the Charter relative to language issues. So we can't, I don't think, isolate the Charter entirely from the problem.

MR. ADY: But that's not an issue here, on this question.

MR. CAMERON: Yes. In fact, question 10(b) and 10(c), although it doesn't say "notwithstanding," deal exactly with that issue of the notwithstanding clause; (b) is, "The current Charter should be made binding on all . . . legislation, with no exceptions," and (c) is, "Some exceptions should be allowed on matters which are . . . important in certain provinces." By asking those two questions, we get at the level of agreement or disagreement with the notwithstanding clause.

MR. ADY: Would people understand that that's what you're getting at when they answer that question in one way or another? Is it clear enough, then, that that's what you're really trying to get at? Why don't you come at it directly?

MR. CAMERON: Well, because if we talked about the notwithstanding clause, we would get a lot of blank stares from people. If we talk about the degree to which the legislation is binding with no exceptions or that there can be some exceptions to it on a provincial basis, then that gets at the heart of the issue in as plain language as possible.

MR. CHAIRMAN: That's what I was getting at, Jack: (b) and (c) certainly are at the heart of the constitutional concerns that we're facing today. I think we all know that if Quebec had not used the notwithstanding clause in the way it did, Meech Lake would have passed through the Legislatures, and we'd now be on to the next round of discussing Senate reform. That's water under the bridge, but it's something that I think we have to keep in mind. Sorry; there were others who wanted in.

MR. ADY: Well, since I've raised the thing, I guess I'd like to verify. It's probably the additions in question 10 that give me the biggest problem, that we're trying to add onto that and cloud the whole issue about constitutional crisis.

MR. CHAIRMAN: All right. Fred, and then Barrie.

MR. BRADLEY: Just commenting on how these questions were asked. In terms of (b) and (c), a person will look at that and may respond one way or the other, but if you phrase (b), in

terms of binding on provincial legislation, with an example – "If the Supreme Court said that constitutionally Alberta should be a bilingual province and must provide all services in French and English, do you favour that the Charter be binding?" – that gives a concrete example in terms of how a court decision could affect the daily lives of Albertans. Is there any room to put that type of issue, for example, to Albertans? That brings the Charter right home, and it brings the whole issue right home in terms of the notwithstanding clause and in terms of the use of it by the province of Quebec. If you brought it home to Albertans, and that type of example said that the Supreme Court, using the Charter, had the power to declare that Alberta was bilingual with no recourse by the provincial Legislature to pass a notwithstanding clause item under the Charter, saying "No, notwithstanding what the Supreme Court has said, the people of Alberta believe the official language of Alberta should be English" . . .

MR. CAMERON: We use examples quite often in a questionnaire, where we say "for instance" and give an example. The problem in this case with using an example is choosing the example.

MR. BRADLEY: I've given you the example I'd like referred to for Albertans and marked down very clearly in terms of the issue.

MR. CAMERON: I can say quite clearly that if we put it that way, we would get an overwhelmingly negative response. If we phrased it slightly differently, we maybe would get a somewhat negative response, but if we used a different example, we would get a positive response. So I think the principle of notwithstanding is a difficult issue to address on a public polling issue. The subcommittee discussed this at great length. What we came up with was going at it from two different directions.

MR. BRADLEY: The question becomes so neutral that people don't understand the impact. I think they should have the impact of the type of discussion before them when they're answering that kind of question.

MR. CAMERON: Well, I think saying that it's "binding on all Federal and Provincial legislation, with no exceptions" . . . We could even say that it could overrule any federal or provincial legislation. I think putting an example in there is problematic, because choosing the example is going to be the real challenge. No matter what example we put in there, that's going to skew the question.

MS CALAHASEN: Are you talking about from an Alberta perspective or from a Canadian perspective?

MR. CAMERON: Anywhere we ask that question. If we put in an example of a specific language issue or whatever it was over natural resources, it would flavour the question, the example itself.

MR. BRADLEY: Maybe we need an addendum, then, to put forward that example.

MR. CHAIRMAN: Barrie.

MR. CHIVERS: Mr. Chairman, just to make the point a little more clear, if you ask that same question in French Canada, in

Quebec, and you used that exact example, what kind of an answer do you think you'd get? Of course you'd have support for the notwithstanding clause, and that's exactly what we don't want to have. It's that kind of an emotive way of framing a question that gives you skewed answers, and that's exactly what we're trying to avoid here. It seems to me that if you do that, you're going to have to ask that question relating to a whole range of issues in order to get a proper sampling and to get reliable data. If you want to ask that question in relation to a whole range of issues, then it's intellectually honest to do so and you'll get decent data out of it. But if you want to put in a single or even a couple of examples and ask that question in relation to a couple of examples, you're not going to get reliable information.

MR. CHAIRMAN: Okay. We've got a bit of debate going here.

Jack.

MR. ADY: Well, if that's the case, then let's take the motherhood statements that are used as an example out of (a).

MS CALAHASEN: Housing and health, yeah.

MR. ADY: If that doesn't skew it . . . Everybody would love to be guaranteed housing and health care. Who would ever say they don't want that, unless they had to pay for it? If we take examples out, take them out.

MR. CHAIRMAN: Okay.
Pearl.

MS CALAHASEN: What was the purpose of putting the questionnaire together? I just want to know what the mandate was for you, the objectives or the aims.

MR. CAMERON: Of the overall or this question?

MS CALAHASEN: Of the overall, and then I want to go into specifics.

MR. CAMERON: Well, I would say to survey the people of Alberta about various constitutional options and how they felt about many of the issues that are currently being discussed in the constitutional deal.

MS CALAHASEN: Which affect their lives or just anything to do with the Constitution as a whole?

MR. CAMERON: It was as broad as the mandate of the committee, which was to investigate anything dealing with the constitutional questions that are on Albertans' minds.

MS CALAHASEN: So when we look at some of these questions, when we think of those and you're talking about samples that could be used, if we're dealing with Albertans and not Canadians as a whole, then we should be looking at Alberta issues and Alberta views, right?

MR. CAMERON: Yeah, we could. We could make it very specific to Alberta. In fact, we had discussed that on the subcommittee too.

MS CALAHASEN: What was the . . .

MR. CAMERON: It wasn't in reference to this specific question. This debate didn't come up with putting in an example. May I suggest that one way of perhaps bridging this disagreement over this question is to include a subsequent question, say 9(b), which would talk in general terms about any future changes to the Charter and whether or not people think that the Charter should be enhanced even if it means that current provincial legislation could be overwritten, along the lines that Dennis was making. I agree that 9 as it's currently framed talks about the current Charter.

MS CALAHASEN: Right.

MR. CAMERON: What we don't have here are people's general opinions about the future direction of the Charter before we get into the specific elements of the Charter.

MS CALAHASEN: Then we go into including other things that are not present versus looking at the issue of the Charter itself and its impact, whether positive or negative.

MR. CAMERON: Uh huh.

MR. CHAIRMAN: Okay. Well, we'll have to look at something there, because we seem to have quite a difference of opinion.

Bob Hawkesworth, and then Dennis.

MR. HAWKESWORTH: Thank you, Mr. Chairman. I feel a bit uncomfortable today knowing that the majority of our subcommittee is not currently with us and able to speak to the discussion that went on in the subcommittee on why they have brought forward this recommendation to us as a committee. So it puts us, I think, as a committee in a bit of an awkward position, having given them the mandate to come up with the questionnaire, to start to redo their work. I think what Mr. Cameron's mentioned here as 9(b) may be sort of a bridge that deals to some extent with the concern that has been raised, and I think there's some merit in what he's proposing to us this morning.

9:43

I get the feeling that by putting a question on this questionnaire, somehow we're advocating for the particular point or whatever. I mean, we're assuming, I suppose, that the majority of Albertans might agree with these things, and that may be threatening to people who don't think they should be included in the questionnaire. But I should also say, without knowing necessarily what people are thinking, they may strongly disagree with those things, so that whoever is advocating for them might not want to have them in as well. I mean, it's second-guessing, I suppose, what Albertans are going to say. I think the question we should be asking ourselves is whether it's an important issue that Albertans should be polled on.

When I recall the kinds of submissions that have been made to us in the public hearings, I'd like this questionnaire to be kind of a test of how representative our public hearings are. So if we've had half a dozen people coming to us and saying that the Charter should protect the environment, well, that's good; is that representative of what Albertans are thinking on that particular issue? We've heard a lot of people coming and talking about fixed-term elections. I think it's appropriate, then, that we should be asking Albertans in the sample what they think, generally speaking, about some of these issues as a way of balancing the input we're getting at the public hearings.

So for me that's what I see the purpose of the questionnaire to be, and as a kind of balance to test the kinds of representation we're getting. I don't presume for a moment that simply because we ask a question, it's going to come up with the result that I personally would support or not support or am inclined to support or not support. I think these questions could cut both ways depending what the response is.

Having said that, I think our key job is to ensure that these questions are pitched in the most neutral way we can possibly pitch them. If 9(b) as being proposed is, I guess, a double insurance in a way - 9 is one way of pitching the Charter issues in that you get the balance in the way they're proposed, and if 9(b) is another way, or reinforcing that, then by the time you get to 10, presumably you're going to get a straight response.

So what I hear you suggesting is that if you add a 9(b), it would be another way of ensuring these questions on the Charter are pitched in such a way that they're not inadvertently being skewed one way or another, and we're getting a true response of what Albertans are thinking.

MR. CHAIRMAN: Well, Bob makes a good point of, you know, making sure that this reflects what we have been hearing. It's a test as to the accuracy of the people who have been coming before our committee. I think that's absolutely clear. That's why we're doing it, because clearly we've been hearing from some extremists on either side of the issue, if you will. On one side we've been hearing from people who say: "We don't need provincial governments. We just need one strong federal central government and that's it." On the other hand, we've had the western separatists coming before us. Now, between those two points there's a lot of ground.

So you're quite right that we need to test this to see whether or not those views represent the public opinion in a general way or whether we've in fact been hearing from a lot of extremists with axes to grind. So you're quite right, Bob, that we should be dealing with those questions. As a matter of fact, the ones that you mentioned are included at the end, the question of fixed-term election and others of that type.

MR. HAWKESWORTH: Right. I recognized that in 19(h), and I had some questions to ask about that.

MR. CHAIRMAN: We've got a bit of a time problem here too. I thought we might be able to cut through. Let me discuss this with you now. What was the time you were proposing to go out with this questionnaire? What was our timetable? Just refresh my memory.

MR. POCOCK: The timetable the committee originally had proposed was just prior to the second round of public hearings. So we are a little behind schedule.

MR. CHAIRMAN: Prior to the second round.

How long a period of time is it going to take to do this? How many days?

MR. CAMERON: It will be about two weeks in the field, about 10 days.

MR. CHAIRMAN: Ten working days.

MR. CAMERON: Yeah. Ten working days.

MR. CHAIRMAN: I'm wondering, in view of what Bob has said, too, if we might not be well advised to put it off until after we finish our second round and make sure that we've got everything in. I think we've covered it pretty well. Then we'd go into the first two weeks of October with it. See, the timetable on this is being elongated somewhat. Because we've got the federal discussion paper coming up towards the end of this month, the Ontario committee has now extended its process. As we discussed with them the other day, they don't expect to have a report until the end of November to finish their work.

I can share with you from being in Whistler with the Premiers last week that there is a great deal of concern about what happens after the process of the federal parliamentary committee going out and wanting to meet with us, meet with other committees of other provinces. The process that's going to be utilized there is one thing that we still have to struggle with, and then from our understanding, the federal government is supposed to come out with a position paper in February. I think Premier Rae, who said that after mid-February there's a black hole, put it as well as anybody. We don't know what our procedure is going to be following that. There was a great deal of concern around the Premiers' table about just what the procedure is.

I should share with you as well that tomorrow Joe Clark is coming to meet with the Premier and myself - and this is very important for this committee - not for the Premier and myself to tell him what Alberta's position is, because clearly we don't know that until we finish this process, but rather to find out from the federal government what their procedures are going to be. There seems to be some misconception that the Premier and I are going to tell Joe Clark what the Alberta position is. That is not the case. We want to find out from him just what's going to happen here. What's the federal agenda? How are they, post-February, going to deal with gathering in the views of all the provinces, the territories, the federal process, the Spicer people, and all these things that have been going on to come up with a system or process by which we will be able to resolve this? Quite frankly, it's going to be an interesting meeting tomorrow, but I can assure the members of the committee that it's not going to be a case of the Premier and I sitting down and telling Mr. Clark what Alberta's position is. That would be circumventing the role of this committee, and we're going to tell him that. I just thought I'd make that point.

9:53

MR. BRADLEY: Mr. Chairman.

MR. CHAIRMAN: Yes.

MR. BRADLEY: Just to get in after what you have said. I wanted to raise some other concerns today. I don't know how much time we have left, but if I could just comment. Question 2 relates to process and only leaves one option in terms of discussing the process; it talks about constituent assembly. It seems to me that there are other options that aren't mentioned in the poll. The questions that you raise today raise in my mind the question of the timing of putting out a poll, because we may be polling with incomplete questions or maybe other questions we may wish to raise in light of just what you've described. What is the federal process? Which route do we go in terms of amending the Constitution? Question 2 is the only question on the questionnaire that deals with process in any great degree. There may be other questions we may want to ask in terms of process. So in terms of the timing of the poll, we may want to

rethink that, as to when might be the best opportunity in terms of the comprehensiveness of what answers we're trying to get. So we may wish to rethink the timing of when this poll should be put forward and the types of questions to make sure that it's complete.

MR. CHAIRMAN: Okay. I'll quickly respond on this since you mentioned the constituent assembly. I sat and watched Premier Wells and Premier Ghiz go at each other on this thing. Basically, it was a very lively debate. Clearly, there's a major concern about that particular question as well amongst the Premiers. So you've probably got a good point there.

Yes, Yolande.

MRS. GAGNON: Two things. How much more time do we have for this meeting this morning? I think it's important to know.

MR. CHAIRMAN: Actually, I was hoping to conclude by 10 o'clock.

MRS. GAGNON: Actually, we weren't advised of that. Sheldon just called and asked if he should bother coming. I said if you can't get in by 10 o'clock, don't come. He will probably be in at 10 o'clock, because I didn't know how long this meeting would be.

MR. CHAIRMAN: I'm sorry. I apologize.

MRS. GAGNON: Secondly, I have a number of concerns on the questionnaire. Some are serious, some aren't. So I guess we'd have to reschedule a meeting.

Number three, I'd like to ask Bruce: if we extend the time now into the first, second week of October, does that add to your bill to us, like to your costs and your overall contract with us?

MR. CAMERON: No. In fact, we anticipated that there would probably be some delays, having done this, not this process but something similar, before.

MRS. GAGNON: So if we have concerns, we should schedule another meeting after the two sets of hearings?

MR. CHAIRMAN: I think we would probably want to do that, yes.

Barrie.

MR. CHIVERS: Mr. Chairman, it seems to me that our original plan is off track, which I think was probably a valid way of approaching it, but I don't think it's fatal to the process. The idea of having the questionnaire between the two sets of hearings I think was a good one, but since we now cannot do that, at least one week of the hearings would be concluded before the questionnaire could be put into place or completed. It seems to me that the better course is to await the conclusion of the second week of the hearings and to fix, at this point in time, a date to meet again to review the questionnaire. It seems to me that because we all, I believe, want to get the questionnaire done as soon as possible, it might be a good idea to meet during the week between the 9th and the 23rd hearings.

MR. CHAIRMAN: I think we'll have to try and do that.

It's not fixed about 10. I'd hoped that we'd be able to conclude by that time, however, since I have the ambassador of the Netherlands coming to see me at 10 o'clock. I don't want to delay that.

MR. ANDERSON: I have a plane to catch too, Mr. Chairman, so I'm going to have to leave.

MR. CHAIRMAN: So can we just agree, then, that we will meet again to go over this? I think there have been some points made which you may be able to make some adjustments to between then and now, and just quickly then move on to the public hearings issue.

Oh, that's right. Bob.

MR. HAWKESWORTH: Just one before we leave this; I didn't get a chance. On the list of 19 – maybe for consideration when we come back at our next meeting – there were two questions: one regarding the British parliamentary system should be more like the American political system, and almost a repetition in some way about calling for fixed-term elections. We did hear from a number of people at our public hearings who were advocating some form of proportional representation. For consideration or just to alert people for our next meeting: I'd like to have a bit of discussion on whether we could do something with this list of questions to incorporate asking people's opinion about proportional representation and the makeup of some of our institutions.

MRS. GAGNON: I'd like to flag 15. I think the wording is inflammatory and reactionary. Even the word "scrap," for instance; I'd like some discussion on that at a later date.

MR. CHAIRMAN: Okay. All right.

Well, listen. Interestingly enough, some people have been asking for fixed-term elections and recall at the same time, and there's a little conundrum there.

MR. SCHUMACHER: Fixed-term recall.

MR. BRADLEY: We should put the assassination option in the question.

MR. CHAIRMAN: I'm sorry, but could we just quickly talk about the public hearings? Now, as Stan is unable to participate, I've been able to review my calendar so that I could chair both weeks' hearings, the 9th and the 23rd, so I'll be doing that. That means that as chairman I'll see some of you that I haven't seen before, and as well that will help me as chairman to get a grasp of more of what's happening, so I'll be doing that.

Okay. Any questions at all about the public hearings next week?

MR. CHIVERS: Mr. Chairman, I just want to make a final comment. I'm sure Mr. Schumacher is concerned that we don't have a question there on monetary genocide, which is one of the submissions that we had in Calgary.

MR. SCHUMACHER: I think the question, Barrie, has got to be what we cut and what we don't have.

MRS. GAGNON: I don't have to belabour the point, but it would have been nice if we had known the approximate length

of the meeting. Sheldon's going to arrive here furious at somebody, and I don't know who it will be.

MR. CHAIRMAN: Blame me, blame me. He can be angry with me. I'm sorry about that.

MRS. GAGNON: You know, maybe if it said "possible adjournment at 10 o'clock" or something.

MR. CHAIRMAN: We'll have to do that in the future.

MRS. GAGNON: Okay, thank you.

MR. CHAIRMAN: Thank you very much.

MS CALAHASEN: We were given an indication of the time when we were called.

MRS. GAGNON: I wasn't.

MR. CHAIRMAN: Oh, okay. Well, I'm sorry about that.

[The committee adjourned at 10:01 a.m.]

