

7:05 p.m.

Thursday, September 12, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, we're going to commence very soon. We're expecting a couple more members to come along. But in the meantime, while we're waiting, perhaps Marsha Graham could come forward and start her presentation. As you know, there's 15 minutes for the presentation and some questions. We try to be a little flexible, but we have a full evening. It's been a full day too; it started at 9 this morning.

Marsha, thank you for coming.

MISS GRAHAM: Thank you, Mr. Chairman. Committee members, good evening. I am making a presentation to you as an individual who has a keen interest in the ongoing discussion regarding Canada's Constitution and its future as a sovereign nation. As a student I am very concerned about what lies beyond university for both myself and my peers. In the medium and long term I wonder whether or not Canada can successfully become a competitive actor in the global economy, to sustain the standards of services and quality of living we have come to enjoy and expect. I also ponder the future of the workplace and the role of the family. Other basic concerns range from what portion of our future incomes will go towards taxes and whether or not it is reasonable to expect that most from my generation will one day be able to be homeowners.

I believe these broad issues bear relevance to the current constitutional deliberations. In my view, we would be doing the country a disservice if we only view the Constitution in a narrow legalistic framework and ignore the sociopolitical and economic dimensions of the debate. Moreover, leaving the legacy of an unfinished constitutional agenda for successive generations is courting disaster. The emotional and financial output expended on this matter detracts from citizens and governments pursuing progress in other areas. Please don't misunderstand. Indeed, the constitutional issue is and should be a top priority for Canadians at this juncture in our history. However, it is unlikely that all citizens or all governments are going to get everything that they hope to achieve in this process.

In an explanation of Canada's constitutional struggle, Dr. Peter Russell of the University of Toronto noted in a 1985 speech at Princeton University:

So unending has this quest for a constitutional nirvana been that the Canadian constitutional myth appears to be the exact opposite of the American: whereas Americans may believe that they have the perfect constitution if only the country would live up to it, Canadians regard their country as a wonderful place if only they could find the right constitution.

Nonetheless, we cannot continue to proceed with major revisions to the Constitution every decade in the pursuit of a perfect document. It is imperative that we resolve the major outstanding issues in this round of deliberations to make room on the national agenda for other challenges facing Canada in the 21st century.

In the body of my presentation I will offer my views on various segments of the Constitution. Some of these may be widely supported by others and are practically achievable goals. Other opinions may carry less popular support but I believe still warrant attention. Ultimately, Mr. Chairman, your committee has the formidable task of prioritizing these issues. For ease of reference I've generally structured my presentation using headings found in the Constitution Acts of 1867 and 1982 and have concluded with a section on institutional reform. It should

be noted that not all suggestions put forth require formal constitutional amendment; some could be handled through a political negotiation process.

In reference to the Constitution Act of 1867 – i.e., the BNA Act – and section 90, the principle that all provinces have equal status should be affirmed. The provisions in section 90 granting the federal government powers of reservation and disallowance are contrary to this principle and should be repealed. Moreover, these powers have fallen into desuetude.

Distribution of legislative powers, that being sections 91 and 92. The division of powers in a federal system of government should promote the efficient use of human and financial resources and allow the free exchange of goods, services, and capital throughout the country. Ambiguities in the meaning of emergency versus residual powers assigned to the federal Parliament in the POGG clause, being peace, order, and good government; concurrent involvement by provincial and federal governments in areas such as agriculture and the environment; and barriers erected inhibiting interprovincial trade of goods and services have prevented the country from becoming a fully-integrated economic union, creating protracted conflicts within Canada which produce negative consequences for the country as a whole.

Without going into the precise details on the division of powers, due to time, I would request that the committee consider the following three points, which may serve to harmonize rather than penalize the diversity of Canada. First, determination of the central government's legislative powers should be closely linked to the existence or lack thereof of intrastate federalism. Specifically, decisions to modify or not modify powers should be closely tied to reforms in the Senate. Secondly, greater congruence is required between government spending responsibilities versus means to raise revenues. Third, opportunities to revisit and formally employ forms of co-operative federalism should be addressed. Interprovincial negotiation is preferable to the creation of inflexible constitutional arrangements of powers and confrontation among and between federal and provincial governments. Constitutional and political agreements to reduce interprovincial trade barriers and to develop national minimum standards for professional designations, health, and education may warrant detailed consideration. A binding decision-making process could be developed for inclusion in the Constitution. The general amending formula in section 38 of the Constitution Act may provide a formula by which an interprovincial authority could make decisions where a negotiated agreement isn't possible.

Now, moving on to the Canadian Charter of Rights and Freedoms, the failure of the 1987 Constitutional Accord I believe signaled two major changes for the Canadian constitutional landscape. First, Canadians' tolerance for unchecked executive federalism has declined; for some it has ceased to exist. Secondly, in the past 10 years one cannot ignore that the Charter's significance in both symbolic and tangible terms has grown. Dr. Alan Cairns of the University of British Columbia has identified as Charter Canadians the group of strong defenders of the Charter who have emerged. I believe he has accurately identified the tension which exists among key stakeholders, that being citizens and governments, in Canada's Constitution. While there may be a desire to bring Quebec into the constitutional family, it should not be at the expense of rights and freedoms of all citizens or other governments in Canada; thus my forthcoming statements have tried to be sensitive to these tensions.

Dealing with official languages as well as minority language education rights, personally I have no objection to recognizing Quebec's distinct linguistic qualities. The existence of these hardly requires elaboration. Whether this distinctness extends to culture is another matter. I would contend that each province is culturally distinct and therefore should be recognized as such. Furthermore, I believe there is room to recognize Quebec's distinct linguistic nature within the constitutional framework, which would not erode the principle of equal provincehood or seriously challenge basic rights and freedoms. I would suggest that a so-called distinct clause be incorporated into segments of the Constitution which deal specifically with language rather than being set apart in a separate section.

The greater difficulties which exist in the general area of language include official bilingualism and educational rights for English-speaking minorities within Quebec and French-speaking minorities in the rest of Canada. In part, I feel Quebec's position on official bilingualism has been misunderstood by Canadians outside Quebec. Quebec has not been a big promoter of official bilingualism any more than Albertans have been. Essentially, they've wanted to preserve and promote the French language in their own province. Whether or not they are successful in doing so in the long term remains to be seen but likely will be influenced by external forces outside Canada as much as anything else. Generally, I would conclude that official bilingualism is worthy, yet an impractical and expensive goal even in a society that is striving toward egalitarianism and pluralism. Perhaps opt-in or opt-out provisions could be considered for the official language sections of the Charter.

With respect to minority language education rights, I believe the provision of bilingual or immersion programs is reasonable if local demand warrants these programs. The pursuit of a second language on the basis of intellectual merits should be applauded and not discouraged. Circumstance creates a unique educational opportunity for Canadians to be bilingual in French and English. However, the requirements brought about through Charter court challenges to specifically provide Francophone education that is operated and managed apart from the public school system is an unreasonable expectation for French-speaking minorities outside the province of Quebec. I would conclude that the same is true for English-speaking minorities within Quebec, albeit to a lesser extent because of the concentration of numbers in some areas of the province.

7:15

I now move on to the application of the Charter and specifically section 33, the notwithstanding clause. A great deal of concern has been centred around the existence of a legislative override clause in the Charter. The nature of the Charter document is supposed to be countermajoritarian, yet we have made provisions for rights to be overturned by Legislatures. Nevertheless, I would offer support for retaining this clause on the basis that it affirms our basic trust and belief in the political process for special circumstances involving Charter issues. Furthermore, it provides a check against the excesses of judicial activism. The body of case law in the Charter is mounting, and there are some clear examples that jurors show varying degrees of deference to legislative choice.

Secondly, although judicial independence and the lack of accountability for decisions is of paramount importance to the court's operation, it is fair to say that there are Charter issues where there are two or more distinct yet reasonable legal and public policy positions.

Finally, the purpose and the requirements for the use of section 33 in no way promote arbitrary governmental action against citizens' rights and freedoms. Clearly, in the wake of a Supreme Court decision governments must take special care when invoking the provision or else they will hear from their electorate.

In terms of a procedure for amending the Constitution in sections 38 through 49 of the current Constitution, the exact nature of our federal arrangements should be inherent in the amending formula. Specifically, the equality of provinces must be a guiding principle to amending provisions, but the need for flexibility also exists. My preference would be to maintain the current amending procedures, with the belief that Canadians have made themselves heard that they want substantial public consultation when changes to the Constitution are being considered.

With some reservations I would support the use of referenda only where amendments to the Charter or certain sections of it are involved. A formula for the use of referenda in these cases must recognize less populous regions and therefore not be won or lost on the basis of a simple majority.

Moving on to institutional reform, clearly much of the past and current political tension in Canada has been exacerbated by the real and perceived inability of our national institutions to adequately reflect and respond to the diverse regional and/or provincial interests of the country. Most recently these tensions have escalated due to an apparent lack of trust for those who hold public office both on a national and provincial basis. If one takes a global view of political affairs, these phenomena, regional and political alienation, are not unique to Canada. Nonetheless, we cannot dismiss these problems on the basis that they exist elsewhere, often in a more acute form.

I'm compelled to include, based on everything I've seen or read, that the first step to remedying some of these concerns in Canada involves fundamental reform of the Senate. I won't elaborate extensively. Essentially, though, I would endorse the triple E concept as outlined in Alberta's Strengthening Canada report, with the proviso that we must remain flexible on some details insofar as they do not detract from or erode the basic principles of elected, effective, and equal.

In terms of some other considerations for institutional reform, I think we need to look at some of our basic political traditions and institutions, including modifying strict adherence to party discipline. In the area of electoral reform it may be worth while considering imposing a maximum number of terms or years one can serve in publicly elected office and formal recognition of party nominations required to stand for office in provincial and federal elections.

I would not support the designation of seats in any Legislature to a specified group such as women or aboriginals. Based on the Alberta Legislature, these groups are making progress in winning elections on their own, and I've heard no compelling arguments to suggest that they will not continue to do so in the future and improve their representation. Moreover, modified experimentation with such schemes in the United States has not proved successful.

I'd like to thank you for the opportunity to share some of my thoughts with you. I'm sure that each time someone makes a presentation to the committee, your task becomes more difficult as variations on themes and ideas are put forth. Time has only permitted me to give a brief explanation for a small number of issues; many more, including native self-government and the role of the monarchy, remain. I wish you success in the development of a position for Alberta to bring to the constitutional table.

Thank you.

MR. CHAIRMAN: Thank you, Marsha, for that comprehensive and very thoughtful presentation.

Yes, Fred.

MR. BRADLEY: You mentioned at the very end that you wanted to comment on the role of the monarchy. What do you see as the role of the monarchy in Canada's future constitutional development?

MISS GRAHAM: On a personal basis I don't see a future role for it. I guess theoretically we're still a constitutional monarchy, but to me we've evolved, and it's really a figurehead. For a lot of people, though, it symbolizes stability, and there's such a strong symbolic and historical attachment that as a practical consideration I don't think it would be politically palatable to a lot of people. I myself, though, if you abolished it, have no problem.

MR. BRADLEY: The monarchy is the head of state. It has certain constitutional responsibilities in terms of dismissing governments, signing laws into effect, et cetera. What would you replace it with?

MISS GRAHAM: The executive branch of government would end up I think just giving those formal powers essentially to the Prime Minister.

MR. BRADLEY: You wouldn't have a separate office, president, separating that function from the head of state from the executive branch?

MISS GRAHAM: I haven't given it a lot of thought. I guess because it's so ceremonial I don't really see it as being that critical. But, you know, certainly I wouldn't object to that kind of arrangement.

MR. CHAIRMAN: Okay. Thank you very much.
Barrie.

MR. CHIVERS: Marsha, you've come down on the side of retaining the notwithstanding clause. It's a subject that I've been giving a lot of thought to, and I agree with you; I think it has to be retained for political reasons. If we're going to get a constitutional consensus, we're going to have to have something similar to that. I'm wondering what you think of the idea of making the operation of the notwithstanding clause subject to a referendum in the jurisdiction seeking to exercise it, be it provincial or federal. In other words, prior to the . . .

MISS GRAHAM: Yeah, I understand what you mean. And still applying to sections 2 and then 7 through 15?

MR. CHIVERS: Right.

MISS GRAHAM: I would have a problem with that. I guess my concern about a move to direct democracy is a sort of talking yellow pages approach to government, and that's happening to some extent. I guess I still see the value of representative democracy, and I elect an MLA or an MP to represent me on the issues that I think he or she can best inform themselves on. I'm not going to agree with them on every point and certainly expect to be able to provide input. But if we have to start going to the polls on every issue, as I say, I think we'd tend to get a knee-jerk reaction on a lot of issues.

Now, the notwithstanding clause hasn't really been used, for all practical purposes, with the exception of Quebec, and there it's been a protest. I don't know if it was used in Saskatchewan or not. They were considering it.

MR. CHIVERS: It was threatened in Saskatchewan.

MISS GRAHAM: Yeah. Whether a referendum would be a frequent occurrence or an infrequent occurrence I think makes a difference.

MR. CHIVERS: I do too. It seems to me it would have the advantage that it would mean that before you could take the drastic action of implementing the opting out, you'd have to have at least majority support within your jurisdiction for that action on that specific issue rather than as part of your general mandate.

7:25

MR. CHAIRMAN: You're not compelled to answer the question.

MISS GRAHAM: Yeah. I guess I haven't given that a lot of thought, but if governments are going to want to be overturning decisions on a frequent basis, then it would maybe lose its impact. I wouldn't totally oppose it, I guess. I'd just like to give it . . .

MR. CHIVERS: The context for the question is that we've been receiving a lot of presentations that oppose the notwithstanding clause on the equity principle, saying that rights and freedoms have to be the same for all Canadians. I was wondering about this as a possibility of a compromise.

MISS GRAHAM: I think it's a possibility of a compromise. I wouldn't completely object to it right off the bat but would certainly want some more information before I give it full support.

MR. CHIVERS: Thank you.

MR. CHAIRMAN: Thank you very much, Marsha. We've heard a lot of representations that we should have a constituent assembly. You have not advocated that in your presentation. Have you given it consideration?

MISS GRAHAM: Yes, I have. I think the task of a committee writing a document such as a Constitution is a fairly hefty one even with a small group, and with a constituent assembly I think you're moving into a larger group, and then how do you choose who makes up that larger group. How many representatives does each province get? Do they all get an equal representation, five people sent? Does Quebec get 10 and Alberta get three? I think the semantics of trying to put together an assembly would be difficult, and I question whether it can produce results better than interprovincial negotiations with the players already in place.

MR. CHAIRMAN: Thank you very much, Marsha.
Al Engelhardt.

MR. ENGELHARDT: I see that Mr. Jones is not here today.

MR. CHAIRMAN: No. Mr. Jones has been and gone. That's right.

MR. ENGELHARDT: Good evening, Mr. Chairman.

MR. CHAIRMAN: Good evening.

MR. ENGELHARDT: I'm almost humbled by the previous speaker with her eloquence and detail. She said she was a student, and I'm going to tell you I'm a teacher, so I guess in a backhanded way I'll take credit for her presentation.

I have never before made a submission of any kind to any kind of public forum, locally, provincially, or nationally. However, as a Canadian given this opportunity, which I thank you all for and our government for providing us, I felt it was time that at least I as an individual stood up and was counted.

I think I should start with perhaps a bit of background, which will perhaps make it clearer when I come to the conclusion. I was born in eastern Ontario, in the French-Canadian neighbourhood of Cornwall. I grew up in conservative, staid London, Ontario, and I've had the pleasure of living and working in Alberta for the last 11 years at what I consider the best job in the world – my former minister would probably agree – that of a teacher. My thoughts and observations I guess tonight come from experience and, probably most important to me, from the heart.

Having observed the constitutional dilemma ever since I was a teenager, our basic problem in my view – and I don't want to get overly specific, but it seems that we think of ourselves too much as Albertans or British Columbians or Quebecers and not enough as Canadians. I have watched with some chagrin over the years our political leaders at all levels take potshots at each other in a manner that I wouldn't allow in a grade 1 classroom. I was both appalled and somewhat hopeful watching the last Premiers' Conference when on the one hand I was most impressed by all our Premiers in how they dealt with the native issues as were presented by our native leaders and at the same time still appalled at the constant fed bashing. Now, certainly I'm not here to defend Brian Mulroney; I'm not that much of a masochist. But I think the time has come for our political leaders at all levels to be statesmen first and politicians second.

As to some of the specific issues that seem to be emerging in our constitutional debate, I offer some thoughts. The Quebec question, as it's constantly referred to: surely it's obvious to everyone that Quebec is a distinct society. Therefore, it seems logical to me that we must allow Quebec whatever powers seem reasonable to protect that distinctness. As to native Canadians, I think few if any Canadians can deny that we have treated them badly. I believe, however, that an open and honest statesman-like approach to our long-suffering first Canadians would result in a settlement that would be equitable to all concerned.

Provincial powers versus federal powers. I think we must recognize that there are some things that provinces can do better than the federal government and vice versa, and if that means some more powers to the provinces in some areas and less in others, so be it. But I don't think we're going to settle anything if all the people involved simply say, "More for me and less for you." That's a sure recipe for disaster. I personally feel, however, that whatever the final distribution of powers we must have a strong central government.

I'd like to perhaps put this in another perspective. On the one hand, I understand, at least to some degree, the problems we are facing. Throughout my life I have been fortunate to have traveled and worked for short periods of time outside the

country. There is in my view no better place to live or to work, and I think it would be safe to say that people outside our country are honestly baffled at what we're complaining about, and I think sometimes we are too. That in no way suggests that the problems we are talking about this evening or that you will face in your deliberations are not real ones, but I think sometimes we have to step back and say, "What are we really fighting about?"

I think this brings me to my final point. As both a Canadian and a teacher I think one of the things that we have to work on more is to celebrate and encourage our institutions and cultural endeavours and achievements that make us Canadian. I think we often lack that. On occasion we tend to, more often than we should, I believe, concentrate on our differences and not on things that make us Canadian. I don't think it helps when our Premier says: I'm an Albertan first. Nor does it help when the Premier of Quebec says: I'm a Quebecer first. I think we have to stop that. I think we have to start thinking as Canadians first, and if that means I have to give a little to Quebec or Quebec has to give a little to me as an Albertan on certain things, then that's the way we have to do it. If we don't, then I'm afraid we will never come to a conclusion and finally after years of trying people will say, "The heck with it." That would be very sad indeed.

Thank you.

MR. CHAIRMAN: Thank you very much, Al, for your presentation. I don't want to be partisan here, but I don't believe I've ever heard our Premier say that he's an Albertan first.

MR. ENGELHARDT: I have.

MR. CHAIRMAN: When?

7:35

MR. ENGELHARDT: On several news clips over the years. I don't mean to pick on him, but he's very typical.

MR. CHAIRMAN: No, no. But it's amazing to me. He may have said, I think, that his first responsibility is to protect the interests of Alberta, which of course any Premier would say about his province.

MR. ENGELHARDT: Certainly.

MR. CHAIRMAN: I've always understood him to believe that he is a Canadian first and an Albertan second. In any event, I'll discuss that with him.

One point that you did raise. I take it that you watched some of the televised proceedings from Whistler?

MR. ENGELHARDT: Yes, I did.

MR. CHAIRMAN: You mentioned the native issue.

MR. ENGELHARDT: Yes.

MR. CHAIRMAN: And you were impressed with the way the first ministers there, the Premiers, responded to those concerns? It is a complex issue, but the subject of native self-government and how that is to be achieved is really an issue that we have facing us in this province. While it's true that the federal government is primarily responsible under section 91(14) of the Constitution Act, we in this province say that we are responsible

for Metis in particular. Are you familiar with the form of Metis self-government that has in fact been established in northern Alberta as a result of extensive negotiations with them and put into law recently, unanimously passed in our Legislature by all parties?

MR. ENGELHARDT: I am somewhat familiar with both the history of the Metis and the recent agreements. I think it's a model that people should look at, not the end result as it stands but the process which both the government of Alberta and the Metis went through. To me that's a model. Both sides said, "Okay, we have a problem; let's come up with some kind of solution," and a solution was arrived at. I think from what little I know of the proceedings that no one from either side walked in and said, "This is my position; I'm not moving." Both obviously stated their position and said, "Let's try to come to an agreement." I think that's what I meant when I was referring to statesmanship.

I guess I was old enough to really understand and appreciate the Victoria conference. I think it was about 1970.

MR. CHAIRMAN: Seventy-one. Twenty years ago.

MR. ENGELHARDT: Twenty years ago. It seemed so close then and in preceding years. I just think that when honest and honourable people get together, they can come up with a solution. We have to.

MR. CHAIRMAN: Yes.

Yolande, then Nancy.

MRS. GAGNON: Thank you. I'm going to ask this question for the first time in four days. During the last session I was accused of asking it every time, so I've been very careful – not by anyone here, by the way, but by somebody in the media.

You have mentioned strong central government. I'm wondering what you as a teacher think about education and who most appropriately establishes the authority in that jurisdiction. We're looking now at national indicators, national standards, but that is a product of some negotiation and sharing among the first ministers. Does that mean that the provinces should give up any jurisdiction? What is the best arrangement for the benefit of our students?

MR. ENGELHARDT: Well, it's interesting you should ask that. I completed all my course work this past summer on a master's degree in ed admin at San Diego State University. My American brothers down there have a very distinct opinion about that. They think it's best left at the local level and get you provincial guys out of it all together. I disagree. I think that in theory the best would be a federal approach. The problem with that is: how do you get a federal consensus on anything that isn't so watered down that it, in fact, in reality, in the classroom, to the student is almost meaningless? I personally am very happy with the way it works now. I don't think there would be anything wrong with a federal/provincial task force coming up with federal goals for education and then working co-operatively to implement those goals, whatever they are. If we want, you know, 90 percent graduation from grade 12, that's fine. I mean, there's nothing wrong with that as a national or a provincial goal, but I think it's best implemented at the provincial and then local levels.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Thank you very much.
Nancy.

MS BETKOWSKI: My question was really on the same area. I believe that the quality of leadership is adding value to a consensus as opposed to just arriving at consensus. So I guess my question is on the same lines, and it's really: is a stronger central government that you view important in an area like education an either/or? Or is there a quality that is national as opposed to federal? I would argue that the provinces at their peril, if they don't come together to form some standards of national education, will lose a jurisdiction. They will be relinquishing that jurisdiction. I guess my question to you is: do you rule out the potential of, as opposed to a federal/provincial goal for education, provinces themselves coming together to form those goals of education and endorsing them on a national as opposed to a federal basis?

MR. ENGELHARDT: I think you're talking process. I think that's one way to do it. If we were going to go to a national standard of some kind in education, I see nothing wrong with the federal government sort of being the instigator; saying, "Hey, folks, let's get together and talk about this," and helping. I think too often in the past the federal government has dictated as opposed to simply facilitated.

You may be aware that our neighbour to the south, where they strongly believe in local control of education, more and more that's being taken from them by the state governments, and the President of the United States has more and more involved himself in education. I heard it expressed this summer that, in fact, what we should be aiming for ultimately, what is expected, is a world level of education. We have that in our own province with the international baccalaureate programs, which I'm proud to say Alberta does very well at on a worldwide level.

MS BETKOWSKI: Yes. Thank you.

MR. CHAIRMAN: That's very true. I'm glad you made that point, because sometimes we're given to self-flagellation on the educational side.

MR. ENGELHARDT: So when can I expect more money for my teachers? I should note I'm also the chief bargainer for Calgary public teachers.

MR. CHAIRMAN: Are you really? You'd know Terry Riley from Medicine Hat then.

MR. ENGELHARDT: Yes, sir.

MR. CHAIRMAN: He's the chief bargainer in Medicine Hat. You two would be a formidable pair.

MR. ENGELHARDT: Thank you.

MR. CHAIRMAN: Dennis.

MR. ANDERSON: Thank you, Mr. Chairman.

Mr. Engelhardt, when you opened your remarks, you talked about this being the first time that you had really appeared and that the circumstances in Canada had encouraged you to do that. Could I get your comments or your perception of the system as a whole? We've had some presentations that say we should

become more like the American system. We've had others that have suggested some modifications in terms of the party system being too tight, and free votes and so on. Do you have thoughts on the system overall?

MR. ENGELHARDT: Yes, I do. Don't anyone tell the Calgary board of education this. I thank God every day I work in Calgary. I think from a professional point of view our educational system is almost light-years ahead of the United States in most areas.

As to how we're governed, I very much like the way we are governed now. I like the concept of our Prime Minister and our Premiers being very much accountable on a daily basis to elected members of the different Legislatures. I would never want to see a presidential system in Canada. The previous speaker mentioned the monarchy, and some people on the committee asked some questions. I would agree that it's largely ceremonial, and it does in fact have some legal implications, as you're all aware as politicians, but I think it's one of the things that makes us distinct. One of the things I dread is that we seem to be drifting almost unconsciously more and more into the American sphere. I think one of the things I wanted to try and emphasize tonight is that I believe we have to emphasize our Canadianness, what makes us different, not to say that we're better or anything like that but to say, "This is what makes me a Canadian; this is what makes us different," as opposed to what tears us apart or even what makes us like someone else; for example, like the United States. I mean, we are very close in a lot of ways to the United States, and that's fine, but I don't ever want to be an American. I want to remain a Canadian for a whole bunch of reasons.

I hope my rambling answer helps you a little bit.

7:45

MR. ANDERSON: Yeah. Essentially you're happy with the electoral system the way it is, and you wouldn't suggest any serious modifications in the party system.

MR. ENGELHARDT: Well, the Senate in its present form has got to go. I think the Senate thinks it's got to go. I think Canadians overwhelmingly think it's got to go. Now, the idea of an equal, elected, and effective Senate is very appealing, but it's also very hard for places like Ontario and Quebec to give up their majority based on population. Our democratic history would say that they do have more people than we do. They should have a larger say. I think we can accommodate that in a Senate. My question, and it has never been fully answered for me, is: if you're going to have an equal Senate, for example, what powers will it have? Will it override the Commons?

MR. ANDERSON: I'd be glad to send you a copy of our report. I chaired the committee on Senate reform that suggested the triple E Senate to the Assembly and the details of that. In essence, it would have override in some areas but not in others. It would, by and large, in many be suspensive. However, it depends on the area. I'll be glad to send you a copy.

MR. ENGELHARDT: I would appreciate it. Thank you.

MR. CHAIRMAN: You've put your finger on the big problem all right: what is the effective E going to mean?

Well, thank you very much, Al, for your presentation.

MR. ENGELHARDT: Thank you, Mr. Chairman. I wish you well in your deliberations.

MR. CHAIRMAN: Don't make this the last time you do this.

MR. ENGELHARDT: Thank you.

MR. CHAIRMAN: Robert Oveson. Welcome.

MR. OVESON: Thank you, Mr. Chairman. Since the demise of the Meech Lake accord, there's been a public demand for public participation. The Spicer commission and these talks here are part of the result of that. In one of the round tables Dr. Bercuson stated that the effect of the Spicer report would be that people would want to see Canada together and this would be used as a mandate to attempt Meech two. This sounds very negative in terms of the effectiveness of any public participation. At the same time, after reading through the round tables and the reports, I think there's a possibility that the outcome of these might be that the people will think Alberta is getting short-changed and this means we need more power for the provincial governments. In either case I do not think this is what was intended by the public when they demanded participation.

Enough of the negative. I hope the rest will be positive from here on in. I think people wanted to be influential and effective; that is, they wanted the outcome to be different than if they didn't participate. I don't think I'm alone in thinking that decisions are made by people – interest groups, lobby groups – who have closest access to the political process, and once a decision is made, what results is an attempt to sell it to the public. The result is a hidden agenda, and I think the demand for public participation is an attempt to reduce, if not avoid entirely, the hidden agenda and play with all cards face up on the table.

I've viewed this problem as an exercise in information processing within a complex organization, our country. This is a fairly new field called computer-assisted communal work, but it's growing rapidly and I think it has an application here. I think to have effective participation, we need to use technology beyond what was available 1,000 years ago. With the exception of these microphones, this discussion could have been carried on a thousand or more years ago.

The primary requirement for effective participation is access to information. This means access not only to read this information but to contribute this information and be able to do so by getting by the problem of information overload. If it is necessary for a single individual to read and memorize every output, then that's asking too much; it's impossible. What you need is a structure where a person can find the information he is looking for that is relevant to his discussion and he can post information in such a way that people who need it can also access it. The computer is a tool we can achieve this objective with.

I'd like to expand on the idea of information as being more than just data – text, ideas, concepts, relationships between these things – and differentiate information from news. In effect, having an information base that is accessible to all is another form of mass media, mass media where the individual can select information that is relevant to him as opposed to having this selection made by the broadcaster.

A second requirement would be a dynamic structure where information can be added, replied to, counter-replied to, an ongoing type of structure that simulates discussion in face-to-face interaction. This will allow something to be clarified, so that if the intention of the participant seems to be misunder-

stood, it can be followed up and corrected. It also allows for more detail. In a text-based, on-paper type system it's necessary to have a closed document where you have to anticipate all possible objections, rebuttals, whatever ahead of time. As a result, the documents become unwieldy. As well, with a computer you can have forward referencing as well as backwards. In a text-based system you can reference your references, but you can't reference people who have used your references. This way people can follow up on what has happened to their input, who has replied to it, where the chains of information lead.

I would say that a third requirement for effective participation is co-ordinating and organizing individuals to serve as a team. It's a way of removing the necessity for each person to start from square one. You can see what other people have contributed. You can say: "Oh, I don't have to say that; it's already been said. I can add more detail." We can move towards going to action instead of just voicing an opinion. Associated with this would be a means of contacting the people so they can organize into teams. For example, in the Spicer commission there were references on this subject I'm talking about, but there were no names associated with them. There was no way I could contact these people and say, "Hey, let's get together and split up the work and present a meaningful and serious proposal."

7:55

To achieve these objectives, I have the triple m-e, which isn't Meech one, two, and three, but mechanism, method, and message. By mechanism I mean the hardware and the software, the programs that will allow you to use this, the modem connections so that people can connect from their own computers at home, possibly some form of electronic mail in addition so people can co-ordinate on a medisystem above the output sort of thing. The simplest form of this is public bulletin boards; they're in existence now. I think that would be a good start. In addition to that, I think we need to add data processing on top: key words, being able to identify what the message is. Is it support for a point? Is it a rebuttal? Is it a question? Is it a comment? Is it an objective? Is it an alternative? It's a way to structure it so the information can be put into a format that all kind of start to recognize and become familiar with.

By method I'm talking about how to use the system: how people talk in a group, input their information; how they go to this information base to get other information; the techniques that interface between the computer side of it and the human side. How people are brought into this; people that are willing to bring on new people and say, "Yeah, I can show you how to get on the system and use it"; how the more experienced can teach the less experienced: it's a kind of grass-roots type of approach, I guess.

The message is, one, that the output maybe would be the Constitution itself, at least the backup material that goes into deciding how the Constitution is formulated. As well, there will be messages on how the process itself worked so that this possibly can be used on an ongoing basis for certain issues. It will create a common environment so people can see where this might lead to. It also is a technology that possibly could be used by businesses. Surely if it's feasible for an organization as complex as Canada, it will have merit in something as complex as an organization.

This would be a developing technology that is vital for the information age, and I can see these as being side benefits as well as providing a base of information. An evolving process,

as we use it, we'll determine what we need to make it work, and once we define a problem, we can go about seeking a solution. From method we'll specify the requirements for mechanism.

I'll conclude by saying that of the 400,000 people that contributed to the Spicer commission, I'm sure this proposal has already been presented numerous times. I would like to request that the people who have made this proposal be introduced so that as a group they can prepare a more detailed proposal, a prototype, so the concept can be communicated by demonstration.

Thank you.

MR. CHAIRMAN: Thank you very much, Robert.

Bob Hawkesworth.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Mr. Oveson, when it comes to computers I'm back in the paper and pen age. I'm sort of an illiterate, I think, when it comes to computers. But if I understand what you've taken the time to explain to us this evening, it sounds to me like you're describing an electronic constituent assembly.

MR. OVESON: Exactly.

MR. HAWKESWORTH: And it would be open to any Canadian who has a computer and wants to tap in. Is that the way it would work?

MR. OVESON: Yes. In a more detailed proposal I would go about explaining some of the problems with this, like security. You cannot assume that everybody has the objective of making this work. There will be some people that have the objective of disorganizing the information. How do you check that information is correct? All of these things are part of method which will quickly be realized, and as they're realized on a small scale, they can be identified and dealt with manually with the head. But observing the process of how this is done manually will lead to insights into how it can be automated to some extent when the information base gets complex to the point where it is not retainable in a single mind. This is why I think it's necessary to have a detailed proposal, to show that, yes, these things have been thought about. There hasn't been time to go into them, but thank you.

MR. HAWKESWORTH: Okay. Thank you.

MR. CHAIRMAN: Thank you very much, Robert. You may be 20 years ahead of your time in the sense of waiting until the next generation comes along, like my kids, for example. But in any event, it's a very thoughtful suggestion.

MR. OVESON: Okay. Would it be possible to be put in contact with other people that have made this proposal?

MR. CHAIRMAN: We have researchers who are going through what we have received, and we'll see if we can get you some information in that respect.

MR. OVESON: Okay. Yes. Thank you.

MR. CHAIRMAN: Thank you.

Glenn Carlsen. We're pleased you could join us this evening.

MR. CARLSEN: I appreciate you rescheduling me for a second go at this. I ended up in McDougall and 6th Street in the northeast the last time.

MR. CHAIRMAN: Sorry about that. Well, you're here now.

MR. CARLSEN: That's all right.

What I wanted to focus on was mainly a few suggestions for the Constitution. The main thing I see happening in this country is that our freedoms are being taken away from us. They're being taken away on a very gradual basis and have been for a number of years now. In our national anthem we have "true north strong and free." I don't think there are many people who can say "free" in their national anthem any more and really mean it. I would like to see freedom of speech enshrined in our Constitution.

When you take a look at what's happening in the country right now with Quebec wanting a separate deal, it really amounts to a separate set of rules to run one part of the country and a separate set of rules to run the other part of the country. I don't believe you can have a country and have two separate sets of rules. I think there's a fundamental breach of freedom of speech when you're not allowed to put an English sign up if you so desire, or a Chinese sign or whatever. I think that's a very serious question that has to be answered by the politicians and us as people. I think we have to decide what's going to constitute Canada and being part of Canada.

It's been a long time since I've spoken in front of a lot of people like this.

When I take a look at specifically what's happening in Quebec, I almost see a form of racism developing there. You've got guys that I've seen on the news – and I know the media plays things up – where you've got people running around telling on people for having an English sign outside their place of business. I happen to run a business, and I can't even imagine that if I wanted to put that sign up in Chinese, I could put that sign up in Chinese and somebody's going to come and dib me in for having that sign up in a different language than what they say is correct. I think that goes against Canada.

8:05

The way that I look at the Constitution is that it's a set of rules that are going to be set up so that we can live our lives in harmony with one another and afford each other the freedoms that allow us to live our lives to the fullest. With that in mind I think the Constitution should be set up to give us the maximum amount of rights and freedoms so we can pursue our lives as we see fit, not as somebody else sees fit. The way I look at setting up a Constitution, I think you could look at pretty well most laws in the land and apply it. It would be that you have freedom to do as you please as long as it does not infringe on the freedom of another individual to do as he pleases. I think you can apply that to the environment; you can apply that to all different forms of law. I think there's probably a lot of fine-tuning that's going to have to go in, and that is the job of the law systems, to take those and answer all those questions in each individual case, whether it be environment, whether it be a law pertaining to taxation, whatever. I mean, if I had my way, I'd have all taxes taken out, but I don't see that as happening in my future.

I think that if I take a look at the future and if I take a look at what's happening in our world around us, if we take a look at the Soviet Union, that is the ultimate end of the direction that we are taking as a country right now. If we take a look, in the

last 20 years we've gone up 20 percent in taxes from supposedly around 30 percent to close to 50 percent now. The ultimate end of the direction that we're taking is the Soviet Union: 80, 90, whatever percent of tax they pay over there, or whatever money they give their people to live their lives. I think you're seeing the ultimate end of that type of government.

I think that government must not be allowed to run companies in the marketplace. I think that the marketplace can take care of running the companies. That applies to Canada Post and many other corporations that are out there. It scares me to think that a person can't come in and set up another post office if he likes. There's something limiting the amount of money you can spend to send mail out. Private enterprise, I'm sure, can take care of a lot of those different things.

I think that government should not be allowed to take money from Canadians for special interest groups; i.e., multiculturalism, the whole gamut. We always hear when the Auditor General, who's supposedly checking on government and where the spending is going, says that our money's being spent on studying the eating habits of people in Greece 3,000 years ago. When I hear that sort of thing, that's just government mismanagement, in my opinion. I just can't believe it when I hear it; it's just like, who okays this stuff, you know? Who okays this stuff?

Government's got to really take a serious look at protecting our rights and freedoms, and that's what I want to see in the Constitution. I unloaded a truckload of equipment this morning, and I mentioned to the driver that I was coming down here to talk, and he says, "Go down there and tell them that I want more of my money in my pocket," and that's essentially what I'm saying here. I think that many people I've met in my store – and I've got into conversation about that – want to see their money back in their pocketbooks, and there's got to be something limiting where government can go. The people that are in government should be acting to protect our rights and freedoms, not take them away from us.

When we look at Mr. Mulroney and the direction that he's taking us down and many governments before him – it doesn't seem to matter who is in power – it just seems that they come back to us with, "I want more money; I want more money." I look at my three kids, and I say to myself, "What are they going to have in another 20 years when they're in the marketplace?" I mean, I'm up to 50 percent in taxation. If we go to this, we're going to be at 70 percent if we follow the line that's going now. I'm scared, and I think there's a lot of Canadians that are out there that are scared. When I start hearing people in our culture saying we're going to start fighting armed fights and stuff like that, that's scary. In a country that is supposedly standing for freedom – we have it in our national anthem. So if we have it in our national anthem, let's have it in our Constitution. That's what I want to see.

MR. CHAIRMAN: Thank you very much, Glenn. Well, the motto of Alberta is "strong and free," "fortis et liber" in Latin, and you're right; it's tough keeping it that way.

Yolande.

MRS. GAGNON: Yes, thank you. As someone who believes strongly in private enterprise, do you see any role for government – for instance, in the postal service in the remote areas – where it would not be profitable for a . . .

MR. CARLSEN: I disagree. I think in areas like that the marketplace will still take care of that, and my question goes back to that they have chosen to live in that area. They choose

to have the hardships of living in that area. There's nobody that is holding a gun to their heads and saying, "You must live out on the farm."

MRS. GAGNON: But what if we're trying to promote regional development and we're trying to establish settlements for up north or whatever? It may be human engineering.

MR. CARLSEN: Why should you play God? Why not let us decide whether we want to live up north or we want to be here or what we want to do? Let's take a look at sports. We've got all this money going to people like Ben Johnson, the whole gamut, who are way up here at the top of the pyramid, okay? Well, I want the money for my kids. Why should I have to foot that bill for that sort of thing? Why should I have to foot the bill for multiculturalism? I'm either of French or English descent. I keep what my background is in my own family. When I decided to be part of Canada – and my parents came over from Europe. When they came here, they adopted the ways of Canada and they spoke the language that was here in Canada. You have to have a language of trade and commerce, and outside of that the rest is in the home. You know, all these special interests – I know a lot of the things that government has done have been done with good intent, and I'm not going around saying, "Jeez, these people are malicious people," but they don't see the ultimate end of the direction they're taking. They say: "Well, we'll take a little bit of money away for this thing. Well, jeez, we've got another great idea here; we'll take a little bit more money away to run a post office. Well, why don't we run an airline?" It goes on and on and on. Where does it stop? Before we know it, we've got some people up in government playing God over the rest of us, and I don't want that. I want to make the decisions for my own life.

MRS. GAGNON: Thank you. You don't believe in a mixed economy, I gather.

MR. CARLSEN: No, I don't.

MRS. GAGNON: That's the understatement of the year.

MR. CHAIRMAN: Well, thank you very much. On the post office, interestingly enough, in 1867 the Fathers of Confederation actually put it into the Constitution that the federal government is responsible for postal service.

MR. CARLSEN: UPS does a great job federally. There's a whole slew of them out there. I deal with them every day, and they're great.

MR. CHAIRMAN: The only reason I mentioned that is that that's a constitutional responsibility of the federal government.

MR. CARLSEN: But I thought we were talking about a new Constitution here. This is the birth of a new Canada.

MR. CHAIRMAN: I know. I'm just saying that people come to me and say, well, the federal government should have more responsibility in, say, the field of education or whatever. I've often said jokingly, "Well, when they can defend the country and deliver the mail and look after the Indians, which is also their responsibility, then maybe I'll talk to them about doing some other things."

MR. CARLSEN: I think as far as government's concerned, the way I see it is they have to be in charge of protecting our country; that is a given. You have to be able to protect your freedom, so you have to have that. You have to be able to police and have a judicial system there. In business there are many other ways of raising money than taxation. If I make a deal with another businessman, there are ways we pay for that system to work. If we want that protection between one another, contractual protection, we are prepared to pay for that. I'm prepared to pay for that. I think it goes all the way up the ladder. You pay for what you get. Sure, there are hardship cases. You've got a Lottery Fund going there that's making a ton of dough; put it to the charitable cases. I think that's a much better place to put it.

&15

MR. CHAIRMAN: I think Barrie Chivers has a question for you.

MR. CHIVERS: Well, I was just going to make a semifacetious comment. I don't think Glenn was speaking in favour of seeing more powers to the province and the provincial governments either.

MR. CARLSEN: You know, obviously they're going to have to deal with regional issues. I think there is so much bureaucracy out there. When I go to have something cleared through customs from the U.S., one guy comes and picks up the paper, one lady takes the paper and then she folds it up and takes it back to the next person, they take it to the next one, and the next one takes it over to the cashier. It would be much more effective to receive it, that guy checks it all off and gives it to the cashier, and then I pay. There are two levels there that we've just cut out.

MR. CHIVERS: I think Mr. Horsman was just going to point out that that was a federal responsibility.

MR. CARLSEN: But we are talking about the Constitution here, are we not, and what our two bits is for the federal Constitution, right?

MR. CHAIRMAN: They're on strike right now. Anyway, Glenn, what business are you in?

MR. CARLSEN: I sell fitness equipment, by the way.

MR. CHAIRMAN: Do you? You sound like you'd be an honest man to do business with. Thank you very much for coming forward.

MR. CARLSEN: Thank you.

MR. CHAIRMAN: Thanks.
Doug Caswell. Welcome.

MR. CASWELL: Good evening, Mr. Chairman and members of the committee. My name is Doug Caswell, and I'm here to share with you my personal thoughts on Alberta's place in a new Canada and related issues. I am pleased to have the opportunity to express my thoughts in a forum such as this on an issue that is facing our nation. I hope that this process is successful in identifying an Alberta position that most Alberta citizens can buy into and support. My roots in this country are very deep, as

my family first came to Canada in 1817 to Lanark county, Ontario. This makes me a sixth generation Canadian, born in southern Manitoba, 20 years in Alberta. I've spent my whole life on the prairies.

I have a feeling for the frustration expressed by so many western Canadians in regards to the west being an insignificant factor in the political makeup of this nation. These frustrations will be present until we are successful in achieving the implementation of a full and complete triple E Senate. A partial move towards this will only prolong the debate and the frustration. Until we are able to successfully sell the concept of a triple E Senate to the eastern political establishment, who fear they would be handing over a large portion of their power, we will be held in the role of political hinterland for eastern Canada.

Nothing short of a triple E can be accepted to ensure that no one region of the country has total control of the country's agenda through political control of the House of Commons. Every province has its own special and distinct flavour to bring to the nation, and every province should have an equal opportunity to have its issues fully debated in the national assembly. Each province should also know that its interests are being carefully monitored and put forward in a consistent manner and not in the confrontation politics that the Commons operates under. This need can be met through the restructuring of the Senate into an effective, elected, and equal Senate that could operate as an equalizer of the regions and provinces, allowing issues to be resolved in a manner that would be truly in the best interest of the nation rather than the region or the province that holds the political clout.

The best way to build a strong wall is with sturdy bricks and well-mixed mortar. Canada, the wall, needs the provinces to be strong and held together by common policies on those things that require national uniformity, such as foreign policy, economic links, transportation, justice, et cetera. Each province should manage those services which are aimed at maintaining and improving the lives of its citizens, such as health and education, social services, and so on. The provinces should collect their own taxes and maintain the basic social structure of the province. The provinces must have control over natural resources and the environment.

Bilingualism was a great experiment that failed. In fact, it could be said that the program caused many more problems than it solved. People that had no ill will towards other Canadians learned to dislike an entire segment of our population and had that reinforced every morning at the breakfast table when the cereal box was turned the wrong way. The bilingualism program must be scaled back to apply only as required both inside and outside of Quebec. Quebec should maintain French as the official language, and English should be the official language in the rest of the provinces, unless designated by the province or region.

The issue of constitutional amendments must be settled based on unanimity, with no veto being given to any province. If all provinces cannot come to an agreement on a constitutional change, that change must be flawed and needs more work.

The aboriginal rights issue must be addressed. Aboriginals deserve the right to self-government, but by giving them self-government, we cannot allow the creation of another set of problems for future Canadians to be set in place. The concept of a nation within a nation cannot work. What could possibly be looked at is aboriginal seats in all Legislatures, the Commons, and the triple E Senate.

Albertans have seen what can happen to a province when those in power are from other parts of the country and they feel

they have every right to damage one part of the country to the benefit of others, their power base; i.e., the national energy program. We must be very convincing in our arguments and discussions with the rest of this great country that the best for all is that the provinces be allowed to be strong and equal.

I am a proud Canadian and a proud Albertan, but neither would mean as much if Quebec or any other province or region were to leave our Confederation. We cannot allow this country to break apart over something as simple as defining what "distinct society" means. We cannot allow one part of the country to hold the rest of the nation hostage to the never ending threat of ending a long and very successful alliance that is the envy of the world. I understand that tomorrow you will be hearing from a gentleman from Quebec who will be trying to show you that there will be benefits to both Quebec and Canada if Quebec were to separate. I am sure he'll be very eloquent and have statistics to dazzle you, but what he cannot forget is the history of this country that has worked so well together for 125 years. We as Albertans and Canadians must counter this type of thinking as often as we can and show the people of Quebec that we do want them as part of Canada, that we are not the redneck, anti-French, anti-Quebec bigots that some of the press and political portray us as.

This is a beautiful and great land in which we live; just ask any recent immigrant. Those of us who have not experienced life elsewhere take so much for granted. Patriotism is frowned upon and flag-wavers are shunned, but we must work to turn this around and make people proud to be Canadians and keep this country together.

MR. CHAIRMAN: Thank you very much, Doug, for your comprehensive presentation.

Are there questions or comments?

Thank you.

MR. CASWELL: Thank you.

MR. CHAIRMAN: Don Watt.

DR. WATT: Mr. Chairman and members of the committee, the Calgary-Egmont PC Association has some very definite views regarding areas of constitutional reform which are important to our province. It seems more and more unlikely that the Constitution in its present form will survive or changes in the present Constitution will result. We can't say at this stage that Canada as we know it today will persist, but it is our hope that our geographical Canada, from sea to shining sea, will prevail. The geographic continuity of our country, the economic bloc which we call Canada, is important to us, to our economic progress as a nation, to our stature in international affairs, and to our sense of historical continuity as a country originating from two principle founding nations. Canada as a geographic and economic entity must continue. Ways and means to achieve this must be found but not at any price.

8:25

Senate reform. It is acknowledged that the Senate of Canada is archaic. It is not particularly democratic and as a Chamber of sober second thought has outlived its original intention. We in Calgary-Egmont firmly believe in the triple E Senate concept which has its origins in and was developed by grass-roots Albertans. We in Alberta sent the first democratically elected Senator to Ottawa. We are convinced that Senate reform is

needed and that equal representation of the provinces must be achieved in any new Constitution.

As far as the amending formula is concerned, the guiding principle in the present discussions must be that all provinces are equal and should remain so under any new or amended Constitution. Recently the Edwards-Beaudoin report suggested that there might be a relegation of certain provinces such as Alberta to a second- or even third-class standing within Confederation. The existing constitutional amendment formula requires approval of at least seven provincial Assemblies representing at least 50 percent of Canada's total population. In addition, the existing amending formula gives provinces the right to opt out of any amendment that takes away from legislative powers, proprietary rights, or any other rights and privileges they presently hold. This existing formula was established under the guiding principle that all provinces are in fact equal, and we wish it to remain that way.

Centralization and jurisdictional issues. The NDP and the Liberal Party do advocate centralization and control within the national government regarding matters including education and the environment. They argue that this is necessary to ensure that national standards are obtained across Canada. On the other hand, we believe that reasonable national standards can be achieved through joint consultation between the provinces and the federal government without unnecessarily compromising the historical rights of the provinces.

Education. Historically Canada's founding fathers determined that provincial control over education allowed for greater sensitivity in reflecting local needs, values, economics, histories, and cultures. We believe this founding premise is just as valid today as it was then. There are potential difficulties in allowing the federal government to impose national education standards when such standards may not adequately reflect differences between various regions and areas within Canada. This is what our founding fathers figured.

As far as the environment is concerned, this area is not at the present time specifically referred to in any section of the existing Constitution that I'm aware of. Responsibility for and control over the environment has not been assigned to either the federal or provincial levels of government. We think that this is an important area to resolve jurisdictionally and that environmental concerns impact directly upon the realm of natural resources, an area clearly and unquestionably under provincial responsibility.

Our association thanks the constitutional special committee for their forbearance in listening to our submission regarding these rather key areas of any new Constitution, with the hope that the result of your and our deliberations will result in a renewed and stronger Canada.

Thank you.

MR. CHAIRMAN: Thank you very much, Dr. Watt.
Any comments or questions? Yes, Yolande.

MRS. GAGNON: Thank you.

When you indicate that all provinces are equal, do you really mean that they must be the same?

DR. WATT: Equal.

MRS. GAGNON: Equal. Not the same.

DR. WATT: Equal representation. Not the same, no. They can be as different as they like, but they have to be equal as far as the numbers of Senate appointments, for instance.

MRS. GAGNON: Okay. It seems to me it's very good that you clarify that, because in quite a few presentations we've had, I assumed – and maybe I should have had it clarified – that many people really meant the same, not just equal. So thank you for that.

I'd just like to clarify something about the Liberal policy on education. We're not talking about federal control. We believe in local control. I think there's too much centralization in Alberta, as a matter of fact, but we do believe in minimum standards established federally.

Thank you.

DR. WATT: I'm glad to hear that you also believe in decentralization of powers. That's good.

MR. CHAIRMAN: Any other questions or comments? Yes, Barrie.

MR. CHIVERS: I just wanted to ask you, Don, a bit about this idea of establishing national standards through consensus or agreement amongst the provincial jurisdictions. Doesn't that drive you to a lowest common denominator type of standard? Isn't that the result of that process?

DR. WATT: If you have national standards? I would hope that each province would maintain good standards, and Alberta has a record of maintaining good standards in almost everything it does, so I would have no fears as far as this province is concerned certainly.

MR. CHIVERS: Maybe you misunderstood me. You spoke of establishing national standards through agreement amongst the provincial jurisdictions.

DR. WATT: Yes.

MR. CHIVERS: My question is: if you're going to establish national standards in that fashion, doesn't that mean that of necessity the standards that will be established will be the lowest common denominator; that is, the standard that is acceptable to the most recalcitrant province?

DR. WATT: Obviously yes; that would have to be the case for unanimous agreement on any national standard. You'd have to make sure that that standard was an adequate standard in whatever field it was involved in.

MR. CHIVERS: But if we're leaving it to an agreement, a consensus, it obviously has to be the lowest standard.

DR. WATT: But remember you're talking about negotiations between the provinces and the national government. Now, as happens today, if any province cannot maintain a certain standard in any area like in health, then the federal government and all the provinces have to chip in to that. So it doesn't mean a low standard; it means that it'll be a national standard but not necessarily a low standard.

MR. CHIVERS: I think I'll leave it at that, but I find difficulty in accepting that proposition.

MR. CHAIRMAN: Okay.

Well, thank you very much for your presentation this evening.

We have one more presenter, who is scheduled for 8:45. She has not yet arrived, and since we have a few minutes, I think most of us would like to stretch and actually take that coffee break which is scheduled in our agenda.

MS BETKOWSKI: For the first time.

MR. CHAIRMAN: I think it's the first time, yes.

[The committee adjourned at 8:32 p.m. Having waited until approximately 8:55 p.m. and there being no more presenters, the committee did not reconvene]