

9:05 a.m.

Friday, September 13, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, if we could call the committee into session, we will do so now. This is the last day of the current week of public hearings. One more will be undertaken commencing the week of September 23. We'll be back in Calgary with different members of the panel at that time and different panelists. That will conclude the list that we have of people waiting to give us their views in Calgary.

Just quickly, for those of you who aren't aware, I'm Jim Horsman, MLA for Medicine Hat, chairman of the committee. I'll just ask my colleagues to introduce themselves quickly.

MR. HAWKESWORTH: Bob Hawkesworth, MLA for Calgary-Mountain View.

MR. CHIVERS: Barrie Chivers, MLA, Edmonton-Strathcona.

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

MS BETKOWSKI: Nancy Betkowski, MLA, Edmonton-Glenora.

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

MR. SEVERTSON: Gary Severtson, MLA, Innisfail.

MR. CHAIRMAN: I'll ask Kelley Charlebois to come forward, please, and give us his views.

Good morning. Welcome.

MR. CHARLEBOIS: Thank you.

MR. CHAIRMAN: Feel very informal and relaxed as you give your presentation.

MR. CHARLEBOIS: Okay. I'll do my best.

Good morning, Mr. Chairman, hon. ministers, MLAs, and fellow Canadian citizens. I'd like to begin this morning by expressing my gratitude to this committee for the amount of time you have all committed as well as the flexibility in scheduling these hearings that you have pursued. I was a bit anxious when I was unable to address your last session here in Calgary but was quickly relieved when I was informed that you were returning, and I am very pleased to be here today.

I think we will all agree that Canada is a unique nation. Our size, diversity, and low population mean that there is truly no other nation which we can use as an authoritative role model. For this reason the ideas and suggestions of Canadians, the grass roots, are so important to all governments. Today I intend to address a number of specific concerns that the Alberta government has highlighted over the past months. Thus I will deal only with the constitutional issues and avoid areas such as bilingualism and multiculturalism.

I'd like to begin by discussing my views on various jurisdictional issues, beginning with immigration, which in my opinion will be one of the most important issues in Canada over the next 20 to 30 years. Myself and, I believe, my generation are quickly becoming more and more aware of the aging Canadian population. I have heard an estimate that by the year 2020 Canada will have only 1.7 persons in the work force for every person over

the age of 65 and retired. This situation is absolutely unacceptable when we further consider the ramifications on both the work force and the economy of trying to pay for medical services and pensions for such a poorly proportioned society. Certainly immigration is the best hope of alleviating the strain.

My concern is, therefore, the limits on immigrants to Canada and who shall decide. Initially, I felt the federal Canadian government should decide who does or does not become a Canadian. On the surface this seems to make sense. But who recognizes the needs of Albertans best if not the government of Alberta? I believe the federal government should be responsible for the minimum quota of immigrants, with each province being responsible for a percentage of the quota relative to their percentage of Canadian citizens. Beyond this minimum each province would be able to allow any and all immigrants they desire for their province so long as their province could afford to do so.

Thus, for example, if Canada were to decide that in 1992 we should allow a minimum of 250,000 immigrants into Canada, Alberta, with approximately 10 percent of the nation's population, would be called upon to take 25,000 immigrants. If the provincial government decided they specifically needed 400 bakers, 300 candlestick makers, and one more lawyer as part of their quota, they could pursue those individuals and grant them immigrant status. This formula would allow us to fulfill our obligations as Canadians without hindering either the strengthening or the diversifying of our economy. This easily leads to my next area of comment, mainly international trade.

I strongly believe that the federal government should be responsible for many basics in international trade. The federal government should decide whether free trade agreements with Mexico, for example, are good for Canada or not. If it is decided, for example, not to pursue a free trade agreement, then individual provinces must be allowed to organize freer trade deals with any desired trading partner. Naturally, the ultimate authority for who Canadians trade with and which products are exportable to which nations must lie with the federal government. They must retain the real ability to implement a boycott of any nation to further our own international policies. Trade between provinces would be wholly outside the power of the federal government and should lie exclusively with the 10 provinces and two territories.

Transfer payments and various other fiscal relationships have continued to be reduced by an already overburdened federal government. Education, health care, postsecondary education, and social services must all be retained under the direct control of the provinces. The federal government should wherever feasible reduce taxes for these services and allow the provinces to tax directly. I'm in no way suggesting that we shirk our responsibilities to aid in balancing the natural inequity over the 10 provinces and two territories but rather attempt wherever possible to put the powers of taxation closest to the level of government spending the funds. Transfer of payments should not be eliminated. This would mean that the provinces would implement and monitor the day-to-day operations, while the federal government was responsible for minimum standards.

The environment is undoubtedly the most important issue of jurisdiction. I, like yourselves, find it insulting to see the federal government holding environmental reviews on projects either completed or nearly completed. As stewards of the land we all as individuals have the responsibility to protect and maintain the environment of tomorrow. While this does not exclude potential development and utilization of our environment, it does demand that we tread very cautiously: measure twice and cut once, as it

were. Again I suggest that we maintain strong national standards but leave the actual assessments and day-to-day operations of the environment to the provinces. It is my firm belief that I should be able to travel anywhere in Canada and still enjoy the pristine natural beauty that we are fortunate to have here in Alberta. The environment to me represents the one issue that knows no borders. We must bear in mind that any decisions today will undoubtedly affect the world of tomorrow.

I'd like now to turn from issues to institutions. I'd like to very firmly declare my support and approval and hope for the continuation of the system of first ministers' conferences. When I cast my vote for a provincial or federal candidate, I fully and freely accept that I am also voting to allow their party to represent me in regards to any constitutional decisions. I greatly appreciate being heard today, but I accept that in the end it is the current Alberta government which will decide what is best for Alberta within Canada, just as the federal government will decide from their viewpoint what is best for Canada. I guess if I don't like it, the next time around I'll be voting differently.

The Supreme Court is a perplexing problem, and the solution, in my opinion, is either the status quo or there has to be a very radical change. I will not support any one province being entitled to appoint any single justice unless all provinces are given that right. On the other hand, there are legitimate concerns about only the federal government appointing justices. The only solution I can come up with is an election of these positions, perhaps for life, whenever a vacancy would arise.

The Senate to me is only one more level of unnecessary government. I fully accept that the possibility of a two E Senate is out there, being elected and effective, but I realistically realize that Ontario and Quebec, holding the majority of people, will probably never want to give up the power they hold. I do not have a big problem with that. If the majority of Canadians choose to live in Ontario and Quebec, then I'm afraid that's where the majority of the votes should be. My only statement on the Senate is that I hope we would abolish it.

Lastly, but certainly not of the least importance, is the entire idea of an amending formula. I understand the current system, seven out of 10 provinces with 50 percent of the population and the federal Parliament, makes a lot of sense regarding ability to amend the Constitution, but I keep remembering hearing a very stirring speech on Meech Lake when it was basically said that you do not build a nation by ramming constitutional changes down anyone's throat.

With this in mind I accept that if the Clyde Wells of the world could not in good conscience sign the Meech Lake accord, then it should have failed as it did, although I supported it. With this in mind I believe we should pursue the policy of ensuring that all 10 provinces as well as the federal Parliament must approve any and all changes to the Constitution. This would not make future changes very easy, but it would ensure that all provinces are both equal and empowered with a veto.

Thank you very much for your time today.

9:15

MR. CHAIRMAN: Thank you very much, Kelley. You've given us a pretty comprehensive overview of most of the aspects of the constitutional dilemma we're facing.

Are there questions or comments from members? Yes. Barrie, and Yolande.

MR. CHIVERS: I wonder, Kelley, if you could just clarify for me your suggestion with respect to constitutional amendment in this round. Were you suggesting that the amending formula

would be effective in this round and that future constitutional amendments would require unanimity?

MR. CHARLEBOIS: Understanding that as the Constitution stands now, it would be the 7 out of 10, I personally would prefer to see, however, that it be 10 out of 10 with the federal Parliament.

MR. CHIVERS: Thank you.

MR. CHAIRMAN: Next, Yolande.

MRS. GAGNON: Thank you. You gave us a very reasonable approach to things. I'd like to ask you to clarify something. You said that the environment knows no borders; however, you did say that you found it upsetting that the federal government would try and interfere in provincial projects already under way. I wonder if you could clarify that? Unless I didn't hear correctly.

MR. CHARLEBOIS: Sorry. It may have been a bit confusing. By "no borders" I meant specifically internationally. I believe that the federal government has responsibility in setting minimum standards. Rather than dealing with the specific issues like the Rafferty-Alameda dams, they should put down a program saying whether or not dams are allowed or in what situations they would or would not be allowed, and then the provincial government of Saskatchewan should be responsible for the environmental impact assessment and decide whether or not they should go ahead.

MRS. GAGNON: What if a province is thought to be breaching these standards? Then would the federal government have a role?

MR. CHARLEBOIS: Yes, I would imagine they would have to. I have more faith than that, I guess. Sorry.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Just let me ask a supplementary. I may be wrong. What you're suggesting is that there really only be one environmental impact assessment, not a duplication of the federal government doing it and the province. Is that correct?

MR. CHARLEBOIS: Yes.

MR. CHAIRMAN: All right.
Other questions or comments?

The abolition of the Senate: let me just pursue that a little bit. You've looked at the triple E concept. Do you support it if it were possible to achieve?

MR. CHARLEBOIS: No.

MR. CHAIRMAN: You wouldn't support it even if it were possible to achieve.

MR. CHARLEBOIS: That's correct. I find Canada too diverse a nation to accept that the province of Alberta or the province of Prince Edward Island in the federal day-to-day operations should have an equal say. I accept wholeheartedly that the tradition of the English Parliament is that for every certain

number of constituents, you're entitled to one representative, and I don't have a problem with that.

MR. CHAIRMAN: Okay. Well, thank you very much, then, for clarifying that for me, and thank you for coming forward.

I don't believe Jim Eckford is here yet, but Darren Esayenko is here, I understand. So we'll ask him if he would come forward a little earlier than anticipated and give us his views.

Garry's going to find him for us.

Good morning, Darren. Your last name is Esayenko?

MR. ESAYENKO: Yes.

MR. CHAIRMAN: Thank you for coming a little earlier than anticipated, but we'd certainly appreciate it if you'd proceed. Welcome to our panel hearing.

MR. ESAYENKO: Thanks. To start with, I'm 26 years old. I'm a native Albertan in that I was born in Calgary and I've lived in this province all my life. I currently am employed as a labourer with Canadian Western Natural Gas.

I'd like to first of all take this opportunity to thank the Alberta government for taking the initiative to hold these constitutional meetings. I believe this is a very good start at a format which could be used to create a new Canadian Constitution, one that would allow the citizens of this province and those of the rest of Canada their fair share of input in this matter.

If a country is to call itself a true democracy, it must involve all of its citizens of legal age and of sound mind in its decision-making. In keeping with this principle our Constitution should include a provision guaranteeing our citizens the right to referendum, initiative, and recall. Indeed, the power of a government in a democratic country should always ultimately rest in the hands of its law-abiding citizens. Listen to the words of Thomas Jefferson, one of the Founding Fathers of the United States Constitution. He said:

I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion.

I believe the road to a new and lasting Canadian Constitution should begin with a constituent assembly, where every constituency sends elected delegates to a constitutional convention not with the purpose of representing political parties, ideologies, or pressure groups but with the views and wishes of the majority of the people in their constituencies. In turn, the final draft of the Constitution should be submitted to the electorate for final approval through referendum both provincially and federally. This, I believe, would be the acceptable format to the majority of Canadians.

The new Constitution should include, I believe, the following as its basic structure: one, a bill of individual rights outlining personal rights and freedoms; two, a section clearly outlining the division of governmental powers and responsibilities; three, a binding formula for making amendments; and four, a system of checks and balances to prevent a governing body or person from becoming abusive and oppressive with its power. I believe this should also include a triple E Senate.

I would also like to focus on one amendment to our Bill of Rights that I would like to see incorporated into our Constitution which I believe is long overdue, and that is the right to keep and bear arms. I believe that every law-abiding Canadian who is of sound mind and legal age should be guaranteed the

right to own, use, store, and carry firearms for whatever legitimate purpose they so choose. Legitimate use or purpose would be as follows: one, to protect life, be it one's own or that of another person, from (a) any violent criminal aggression, (b) government tyranny or oppression, be it foreign or domestic.

James Madison, another of the Founding Fathers of the U.S. Constitution, said in the *Federalist* papers that Americans need never fear their government because of the advantage of being armed, which Americans possess over the people of almost every other nation. Again, Thomas Jefferson said that the strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government.

It's also interesting to note these two facts. One, the state of Oregon has recently legalized the carrying of concealed firearms by its citizens, and since that time violent crime has decreased there by 24 percent. Two, in countries where communist revolutions have been successful, the general populations have almost always been disarmed beforehand. Generally, only about 3 to 10 percent of the population support the communism in these countries to begin with. One wonders how different China might be today if its citizens had been allowed to possess personal arms.

Other legitimate reasons for guaranteed gun ownership should include: (a) collecting or private collections, including any sort of militaria, old west nostalgia, sporting arms, et cetera, and this should also cover ammunition and related tools or accessories; (b) for hunting, trapping, pest control, including hunting of both game and nongame animals; and (c) target sports and shooting games, both formal and informal. As you realize, Canadians have had a long-standing tradition of partaking in these types of recreation, and all of this, of course, is in keeping with the principle of the pursuit of life, liberty, and happiness in a free society.

9:25

Finally, I believe an amendment such as this should be integrated into a new Canadian defence system, a system where every able-bodied, law-abiding male citizen of good health and sound mind between the ages of 18 and 40 is required to possess in his home the latest Canadian service rifle and accompanying ammunition. This, of course, should be coupled with suitable military training and exercise and regular target practice. This, incidentally, is the same model used by the Swiss and Israeli democracies.

In conclusion, I sincerely hope that this or any future Alberta government will take these meetings very seriously and use the information gathered at these meetings to honestly and impartially represent the citizens of Alberta in any future talks on our Constitution. I would like to leave you with this thought: any government that does not trust its law-abiding citizens with possession of private arms cannot itself be trusted.

Thank you very much. That's all I have to say.

MR. CHAIRMAN: Thank you, Darren. Well, I hope you'd engage in some dialogue with members of the select committee. We appreciate you coming forward and giving us your views. We've heard a number of representations on the constituent assembly idea, and you indicated that this group of newly elected political decision-makers should be nominated from each constituency. Were you talking about each federal constituency?

MR. ESAYENKO: It would depend on what format it took. If Alberta was representing itself, say, in a meeting where each

province had to represent itself in talks, then I would say the best thing to use would be provincial ridings, but if it was just a big pot where everybody from every federal constituency could get together, then that would be fine too – whatever – as long as the people themselves have a say in what goes on.

MR. CHAIRMAN: Okay, but let me just get this clear. Once the new Constitution had been prepared by this new group of people and submitted to the public for approval in a referendum, would that committee cease to exist? In other words, would the constituent assembly just be finished?

MR. ESAYENKO: It would disband, and I would hope that it would be made up of just everyday people like myself or whoever else is interested in it with the purpose of just impartially bringing to the meeting the views of the people in their riding, setting aside even their own personal biases. That's what I would like to see: just somebody who could represent them saying, "Look; this is what we want to include in our new Constitution, and this is our position on this."

MR. CHAIRMAN: But you would agree that the people who go to such a new body would have to be elected.

MR. ESAYENKO: Elected definitely; never appointed.

MR. CHAIRMAN: Never appointed.

MR. ESAYENKO: No. There's too much patronage in government now, and there's no way we'd be able to get a fair representation that way. It would have to be the people themselves choosing who they want to represent them.

MR. CHAIRMAN: Some of the presenters who asked for a constituent assembly said that there should be appointed people as well as elected people. So I just wanted to get clear on that point.

One other quick point too. I must tell you that to my recollection, of the several hundred people who have come forward, you are the first who has urged on us the inclusion of the right to bear arms in the Charter. I just have to inform you of that. I may be wrong because I haven't been at every panel hearing, but if others could correct me . . .

MR. CHIVERS: I think that's correct.

MR. CHAIRMAN: I just thought I'd mention that to you, but you've made an interesting submission in that respect.
Bob.

MR. HAWKESWORTH: Thank you, Mr. Chairman. Mr. Esayenko, I was interested in the tone of your presentation: references to Thomas Jefferson and James Madison among others, and reference to the American Constitution which guarantees the right to bear arms. Do you see any point in having a separate Canadian political nation; that is, would you perhaps even feel more comfortable living in a country that was perhaps a part of the United States? Do you see any purpose or meaning or difference in Canada that ought to be maintained or that's in any way important or significant that's different from the American?

MR. ESAYENKO: Well, I don't agree with being coupled up with the United States. I don't think too many people in

Canada would support that. I myself would prefer to see Canada as a republic in its format, not as a parliamentary democracy or what I call a parliamentary dictatorship, because in a sense that's what it is the way things are set up right now. Instead of a European style parliamentary system incorporated, I would like to see Canada being a republic not submitted to the Queen but submitted to a Constitution which was in turn created by the people themselves.

MR. HAWKESWORTH: Okay, fair enough, which is what the Americans have as their form of political institution. What then would be unique or important about being Canadian that would be in any way different from what America is? I guess what I'm trying to get at here is: what's worth preserving in Canada that's different from the United States? That's really what I'm trying to get at here. In your mind what's important there? What's the important difference?

MR. ESAYENKO: I suppose I'd have to answer that by just saying . . . To tell you the truth, I don't really know how to answer that, but the main importance or the main focus I'd like to see in Canadian society is an emphasis on a bill of rights, on personal liberties and freedoms, individualism. You see, I find that Canadians are very institutionalized. Everything has to be in a group or institution, whereas Americans, Australians, and other people in other democracies are known for their individualism. They rely on themselves, look after themselves, and that's what I would like to see with Canadians. I think we're too closely tied to our government; we're just too dependent upon our government. Every time something goes wrong, everybody goes crying to the government saying, "Well, you have to do something about this." I mean, it's our nation. The nation itself belongs to the people of this country, and the people themselves should be taking responsibilities for their own actions and thinking for themselves rather than always going to the government for this handout or that handout. That's what I'm tired of seeing. That's one thing I do not like about Canadian society.

MR. HAWKESWORTH: Okay. Thank you.

MR. CHAIRMAN: Yes, Barrie.

MR. CHIVERS: Darren, you indicated that the procedure you envisaged for constitutional reform in terms of the process would be final approval by federal and provincial referenda. I'd just like to discuss with you some of the complications and inquire as to whether you'd addressed your mind to it. Do you see this as a yes or no vote on an entire package, or a vote item by item, clause by clause?

MR. ESAYENKO: The item-by-item thing I think should be worked out in the constituent assembly where all the elected delegates hammer out all the details, and then when they do come up with a package that is acceptable, bring it to the people as a package and let them vote yes or no on it. If there are things in it that people feel strongly enough about – suppose they support one thing but don't support another – if they feel that strongly about the thing they disagree with, then they should vote against it, I think, and start all over again.

MR. CHIVERS: Isn't that likely to be a pretty well unending process then, because you'd never be able to determine what it was that people were opposed to?

MR. ESAYENKO: It would be a long-drawn-out process, but we're not talking about something that should be just drafted up in six months like Mulroney wants, okay? We're talking about something that is going to be binding and that people down through the generations in this nation are going to have to abide by. So however long it takes. I don't suppose it would take any more than two or three years to get a Constitution, you know, ratified by the people of the country itself.

9:35

MR. CHIVERS: The difficulty I see with the referendum process is . . . For example, you've spoken of a bill of rights, and I assume you'd want the right to bear firearms as part of the bill of rights, or the Charter of Rights as it's presently called, and that you would see that as a crucial part of any Constitution, judging on your submission here today.

MR. ESAYENKO: Yes, and it was for the reasons I outlined, the simple reasons. You see, when you look at it, there doesn't really seem to be any reason to have this thing in our Constitution right now because, let's face it, Canada is at peace. We're not threatened by any of our neighbouring countries at all, and it doesn't seem like it would be all that logical. But how do we know what our political and social and economic conditions are going to be two or three generations down the road?

MR. CHIVERS: I appreciate the logic of your presentation. What I'm driving at is that, for example, you feel that's a crucial element of a Constitution, of a bill of rights. There are others that feel that property rights are a crucial dimension.

MR. ESAYENKO: Yes. I did fail to mention property rights, but I would like to see that as well incorporated into our Constitution.

MR. CHIVERS: There are others who feel that fetal rights should be included in the Constitution. Now, if we just have a yes or no on a package, how are we ever to know? Some of these people may agree with you on gun control, but they may disagree with you; they may vote against a constitutional package because fetal rights aren't included or because property rights aren't included, or they may agree with you and vote against it because gun control or the right to bear firearms isn't included. How do we ever decide?

MR. ESAYENKO: Okay. So what we could do then is probably make up a long questionnaire and have each elected delegate mail a questionnaire to the people in their constituency asking them what they agreed and disagreed with, and if it goes to a no vote, why they voted against it and ask them what. The overwhelming stuff that was voted against should be removed or amended.

MR. CHIVERS: Thank you.

MR. CHAIRMAN: Thank you very much. By the nature of the questions you see there are complications, but we appreciate very much your presentation and thank you for coming forward.

MR. ESAYENKO: Okay.

MR. CHAIRMAN: The Calgary Multicultural Centre representatives are here, and we'll ask them to come forward now, please.

UNIDENTIFIED SPEAKER: Mr. Chairman.

MR. CHAIRMAN: I'm sorry?

UNIDENTIFIED SPEAKER: I was going to ask him a question, but I didn't know if it was permissible, and now he's gone.

MR. CHAIRMAN: I'm sorry; we can't really get the dialogue going with the audience.

UNIDENTIFIED SPEAKER: Okay.

MR. CHAIRMAN: If we tried it, it would just probably end up being quite lengthy. Thank you anyway.

UNIDENTIFIED SPEAKER: Yes. I got hot under the collar.

MS BETKOWSKI: Now you know what it's like to sit up here.

MR. CHAIRMAN: Good morning. You're just a few minutes earlier than anticipated, but one of our presenters has not presented himself. So we'll go ahead, if we can now, with your presentation. Is Ann Wilson attending this one?

DR. PHILIP: She'll be joining. That's the only thing. She was supposed to join us, so I hope she will join us as we proceed.

MR. CHAIRMAN: Thank you. Welcome to this panel on the Constitution. Please proceed.

DR. PHILIP: Thank you. It's a pleasure and privilege to be invited to participate in this process. My name is Zak Philip. I am the vice-president of the Calgary Multicultural Centre, and with me is my colleague Krish Champakesa. He's the executive director from the administration side, and the president of the centre, Ann Wilson, hopefully will be joining us later.

First of all, I'd officially and formally like to thank you for this opportunity. Perhaps I should say a few things to put it in the context in which we'd like what we present to be understood. The Calgary Multicultural Centre has over 60 member organizations in addition to the number of individual members that we have. The organizations include umbrella groups of ethnocultural backgrounds and service organizations and the like. In a sense we have a potential reach of about 100,000 Calgarians, so to speak.

The other point I'd like to make at the outset is that our participation in the constitutional reform process started quite early, even before Meech Lake. In fact, when CBC *Morningside* had that big forum in which I know you participated, Peter Gzowski's presentation, I was one of the 12 jurors they selected. More importantly, subsequent to the Meech Lake failure or whatever happened then, Krish was very much a part of the Spicer commission process here. In fact, he was one of the moderators in Calgary, and our board, myself, Ann, and other directors, also participated in other group gatherings and also on television. So our interest is not just starting now is what I'm saying.

We had made a written submission. I'd like to propose some general themes and then perhaps one or two specific issues. We believe in a united Canada with full recognition of its regional and cultural diversities. That is our main theme, and that includes the recognition of the aboriginal people, their rights; Quebec's distinctiveness, not in a preferential sense but the

distinct nature of Quebec, as a reality; our multicultural reality; and, of course, the regional distinctiveness and the recognition of that. We'd like to see the future of Canada in that context: recognizing regional, cultural, and other distinctiveness.

In our submission we made some reference to some of the statements made by the Spicer commission and their recommendations. I don't want to go through all of them. One of the recommendations we had included in our submission was because we endorsed that. We have an ever developing culture based on an adopted mix of past riches from countless sources: continents, countries, ethnic groups, tribes, and individuals, also the multicultural nature. Because we believe we are an important stakeholder in that context, we'd like to speak on behalf of that.

We know that much has been said. Multiculturalism is under fire, to some extent for the wrong reasons, because some of the policies were probably out of date; also because the challenge and the opportunities inherent in cultural diversity are not well understood. That's the reason: because some funding was going for song and dance and those kinds of things. What we'd like to emphasize is the economic integration inherent in that: people coming from different parts of the world with their different cultural backgrounds. If we can tap that cultural diversity, we can synergize our country.

Economic integration is the point that we like to promote. Our government should take some initiative in the evolving new Canada and the constitutional and other reforms that are coming. The absence of such an integration means a waste of valuable human resources, and it also raises the potential for ethnic tension and conflict. This is more important because of the changing composition of our immigration. That includes employment equity initiatives perhaps. That includes removing all systemic, overt, covert discrimination and discriminatory practices and, also, trying to be fair in recognizing foreign credentials and things of that nature. It is in that context that we like to promote that.

For the rest of the themes I'd like to invite Krish to join. He was also very much part of that commission.

9:45

MR. CHAIRMAN: Thank you, Dr. Philip.

MR. CHAMPAKESA: Thank you, Zak. Good morning, ladies and gentlemen. Thank you for this opportunity. The only privilege I can claim, as Zak mentioned a minute ago, is that I've been very actively involved for about a year now with the Spicer commission when they chose me to be a moderator in Calgary along with three other colleagues, one of whom comes from the Hispanic Congress, but the other two are multicultural without a lapel pin giving a distinct ethnic identity or what people pass for Calgarians; we don't belong to any distinct ethnic identity. We had the privilege of meeting about a hundred groups of eight to 10 people from all over: rural, urban, different interests, professionals, ordinary workers, cab drivers, whatever you want to say: a cross section.

The common themes I found in all these hundred sessions was that, first, they were somewhat cynical and disbelieving whether their opinions will ever carry weight. We had to do quite a bit of persuasion to tell them that when there is an opportunity to give an opinion, a democratic society expects that you give your opinion freely and fairly. What emerges as a consensus need not necessarily be the views of one of us or two of us. It has got to be essentially a consensus.

The other point we found in that was that people wanted Canada to be one. Whatever way you ultimately decide Canada's restructure or even modification of the structure, it has to be one country, because we have far too many valuable things in this country, which probably most of us realize one day when we get out of the country and look at it from outside, at what other countries are doing.

The third point, since I've been involved for 10 years in the multicultural concept of society, and as Zak touched upon: multiculturalism is a much misunderstood system. Many people have expressed to me openly in my own room that you are molycoddling or handling with velvet gloves the ethnics of distinct origin. It is not so. The immigration in Canada is not intended, deliberate, or manipulated; it's just an accident of history. But once people come from different cultures, it's up to them to adapt, and we have to develop a common Canadian identity if we hope to live in harmony as a society of unity in diversity. I would refer to the September issue of the publication, *Canadian Link*, which I'm sure has been submitted to all of you, where they're giving a three-C definition of multiculturalism. It's enforcing what I have been advocating in hundreds of forums in the last 10 years, and it simply says it must be made in Canada, it must have a distinct Canadian identity, and it is to include all Canadians.

On the employment equity side, we've got a research task force on which we have been working for two years. Again, all that it seeks is training and skills and an opportunity on a level field for everyone to compete and, from the other angle, the maximum utilization of the skills available with the immigrants when they come in, so that international competitiveness is kept up for our prosperity as a nation in the world.

If there are any other questions, it would be a pleasure for me to answer. Our presentation and the annex are already with you.

Thank you very much.

MR. CHAIRMAN: Thank you.

DR. PHILIP: At this time I'd like to introduce Ann Wilson.

MR. CHAIRMAN: Yes. We got an opportunity to start a little earlier. I hope it didn't inconvenience you, but we thought we'd take advantage of the time to proceed in your absence.

MS WILSON: I congratulate you. That's a good sign for the future; to be ahead of time is a little bit proactive. Maybe that's the key or the symbol of this committee.

MR. CHAIRMAN: It's only because somebody who was supposed to have appeared at 9:15 did not show. That's the reason.

MS WILSON: At least we can be flexible.

MR. CHAIRMAN: Would you like to make some comments?

MS WILSON: My role this morning – I'm the new president of the Calgary Multicultural Centre, so I was to come with my colleagues and friends here and really give them the time to expound on issues that they've been working very hard on.

My thoughts, however, were that all of us here in this room are very different, and we celebrate that difference. As people we look for labels or words to describe certain sets of circumstances, and one of those words happens to be multiculturalism. For me, as an immigrant to Canada and recently

allowed to become a citizen of Canada, I see that multiculturalism is Canada and Canada is multiculturalism. It's unique in its model; it's one that we have to be proud of. In reading last night's literature from the Alberta government, I was pleased to see that it said: how are we going to make cultural diversity work for us? I have to ask myself – and I congratulate all of you on the committee for this effort here – how does the process of constitutional reform, the reforms and the Constitution itself, enable us to ensure that in fact cultural diversity does work, that we're not just mouthing it, that we're not just wearing it on our shoulders, but that in fact we have a system that ensures that it does work?

So thank you very much, and again thank you for letting us come this morning.

MR. CHAIRMAN: Well, thank you very much. Some members will have some questions.

Yolande, Barrie.

MRS. GAGNON: Thank you. Good morning. I think one of the things that we've heard through these weeks of hearings is that there definitely is a lot of misunderstanding about the concept, the reality of multiculturalism: its purposes, its actual application, what it costs, and so on. What can we do together to dispel the myth and the stereotype and inform people? Because there is a lot of fear. People see things changing; they don't understand them. They think it diminishes them when something different occurs. So how can we help dispel these myths?

DR. PHILIP: I'll try to start the response. One of the problems we have in that area is the lack of information. So I think educational institutions and information-sharing agencies, all of us in society, have a role to play in that. The changing pattern of our immigration, for instance: if you look at 1968 to '88, 20 years, in '68 two-thirds of the immigrants came from Europe, whereas in 1988 it was 25 percent, one-quarter. During the same time period the change in immigrants from Asia increased: in 1968 it was 13 percent, and in 1988 it was 40 percent. So it is a change in composition. You see all kinds of new people, and there is a fear among some people.

What are some of the opportunities and challenges inherent in that? That's where we have to play a role, governments and other organizations, if we can. These people are bringing skills to us, an international outlook to us, and synergy, as I mentioned earlier. The OECD's latest report came a few weeks ago, and it ranks Canada as 15th in certain attributes. Our overall standing is quite good, although it is slipping a bit. One of the areas where we are really low is international orientation. If you look at the business opportunities that we have in the Pacific Rim and in the new world and so on and forth, those are some of the things.

So, in response, it's a challenge. I think government agencies, educational institutions, and centres like us have to somehow convey that new challenge, new realities, new opportunities to the public. When the public understands that, the danger will be gone, and I think it will be a much more positive atmosphere.

9:55

MRS. GAGNON: Also, we've heard from a lot of people who want the Charter of Rights changed to eliminate any references to multiculturalism.

MR. CHAMPAKESA: There are a couple of points I would like to answer to your question, if you'll permit me to answer again. There is not only a lot of misconception. As I was waiting at the elevator on the main floor here to come up, there was a lady waiting along with me. She looked at my name tag and said, "How do you spell your name?" I said, "Krish." She said, "What culture?" I said, "Canadian." She found it hard to believe. I'm talking of the perception.

Now, in relation to what Zak said. They said our educational and professional skills in the work force have become non-competitive because of the immigrants. If I study the statistics of the last six years, 70 percent of the university graduates, postgraduates, and PhDs immigrating to Canada are coming from the eastern countries. Now, look at the employment potential. Forty-six percent of the small businesses created in the last six years have been created by immigrant entrepreneurs. It does not mean that immigrants just take away jobs, which is again a perception based on ignorance of the facts of the case.

When we deal with community education, I've had the privilege, since both the governments changed their perception of multiculturalism as embracing everybody, to organize 25 public forum programs at the Multicultural Centre, and 90 percent of the audience were from the street. In fact, one day I took 60 calls from people just asking me: "Do you exist at all? Where do you exist, and how do we get to the centre? We saw your name in the *Herald*." That much lack of knowledge exists. It's not surprising that that word is deemed to be something reserved for the ethnics. Then the concept of majority, minority, first nations, other nations: these words aggravate that particular dividing perception instead of a unifying perception. The media want only sensational things. They don't want to write when there is no sensation. How does the knowledge get across unless we meet and interchange ideas and realize that irrespective of the fact that we are a different colour, we have a different diction or possibly have lost half of our teeth, we haven't escaped from the zoo? We are just as human as anybody else. Then culture being propagated as linguistically isolated is again not correct, because if you go back to the dictionary definition of culture, it is just sophisticated, enlightened human behaviour. I am sure no God or whoever created this world intended we must have 300 cultural associations in Calgary, but I find them registered.

MRS. GAGNON: Thank you.

MR. CHAIRMAN: Did you want to get in, Ann?

MS WILSON: I just wanted to make two comments. One is that I find from my experience that when we start having to use labels, whether they're "multiculturalism" or "women's issues" or on and on, it's a signal that proper respect to a particular group isn't occurring or it's a potential. It would be nice to be able to get away from labels and just say that we respect all areas of our society. That would be my concern there. By using the term "multiculturalism," I think not only is it a sign that perhaps there's something not working quite right, but it also is a signal that we have something to celebrate that's good.

The other point you made was that there are significant numbers of projects happening across Canada and particularly in Alberta that do bring about greater understanding regarding immigrants, refugees, and multiculturalism. My perception is that we don't make enough of those good things that are happening.

MRS. GAGNON: Could I add one last thing? I would like to invite you to consider changing the name of your centre to the Calgary intercultural centre rather than multicultural.

MR. CHAMPAKESA: Thank you very much. About a month back Mr. Zarusky, chairman of the Alberta Multiculturalism Commission, was with me, and we were talking on this subject. He said, "Krish, if I gave you a choice and gave you the money to change your name, what would you do?" I would like to call it the Calgary Canadian international centre.

MRS. GAGNON: Great. Because the perception again is there, for instance, that I'm not part of the multicultural group; that's the other people, not me. That's the perception that has to change.

MR. CHAMPAKESA: These people also sometimes, when they get on the cause of distinctiveness of a culture, make it exclusive, which means you are building barriers instead of building bridges. It's a two-way exercise anyway.

MRS. GAGNON: Thank you.

DR. PHILIP: In conclusion, we would like to say that we support a united Canada where regional and cultural diversity is recognized so that no region or member of any minority group feel like second-class entities. That's what we stand for. That's what we promote.

MR. CHAIRMAN: Well, Barrie Chivers and Dennis Anderson also wish to make a comment or ask some questions, so I don't think we can quite let you have your conclusion yet, Dr. Philip.

DR. PHILIP: That's okay.

MR. CHIVERS: I share your concerns that multiculturalism is misunderstood and under attack, and it's certainly been borne out by these hearings. One of the common complaints and rationalizations for the attack on multiculturalism has to do with public funding. It seems to me that part of the difficulty here is a lack of understanding of the purpose of a multiculturalism policy. As suggested by our member here, perhaps a change in name would assist in that. Could you give me a succinct definition as to the purpose of a multicultural or intercultural policy?

MR. CHAMPAKESA: Multiculturalism by definition is a scheme for a diverse society. You can say it's the *nom de plume* for a Canadian society which has diversity built into it. It includes each and every one of the 26 million Canadians, and in our case the 700,000 Calgarians whom we serve because of our radio service. It must serve them with mutual respect and understanding that diversity is an in-built feature of Canadian society. That's nothing to be shied away from, because multiculturalism serves every one of us. It doesn't mean that it serves the ethnics or this or that, whatever perception we had at the start, 20 years back.

If it gets activated, we'll be very happy to accept Mr. Gagnon's suggestion and change our name, but change of name alone is not going to solve it unless the purpose is understood and the message gets across.

Thank you.

MR. CHIVERS: Just connected with that is the public funding dimension. How can we explain to people the necessity for public funding?

MR. CHAMPAKESA: Unless the government feels that all community services are to be privately funded, we are only providing a cross-cultural community service in immigration. There are already services for people to find a job, go to their bank, go and learn English, or go and exhibit whatever culture they have in an acceptable way in Canadian society. I mean, how is it justified to cut out funding? Because it's the community that gives the funds, and it's going back into the service of the community.

DR. PHILIP: If I could add, the main thrust of the funding should be slightly shifted. I think in the past moneys were spent for promoting cultural heritage in terms of songs and dances and dinner and those kinds of things. When people came to know about it, taxpayers were thinking: why should my tax money be expended in that fashion? I think the real challenge and the shift should occur to spend government money or taxpayers' money only for language training and cultural reorientation for people who are coming from outside so that newcomers to our country become useful and contributing citizens. The effort should be in that area, and if you expend our funding in that area, I don't think anybody would object, because in the ultimate analysis they are going to pay taxes, they are going to contribute.

I remember that 27 years ago when I came to this country, I started within a week, and the Canadian taxpayer did not pay one cent. I came to Edmonton. I took over as the director of personnel at the Misericordia hospital because I was educated in Chicago with a master's degree in personnel administration. So the point is that when people understand these are contributing citizens – and I started paying taxes from that time, 27 years.

10:05

MR. CHAIRMAN: Sometimes the government is quite efficient in getting money out of people. That's quite true.

I'm going to have to just caution us. We have a number of additional questions, but I hope perhaps one of you could answer rather than all three on each occasion. It would be helpful.

Please go ahead, Ann.

MS WILSON: Just a brief statement that my perception – this is an assumption – is that there are projects happening whereby people who haven't had experience with refugees and immigrants, haven't had experience with multiculturalism, are now seeing the benefits. We don't tap into that number one good source of PR. Those are the people we need to encourage to speak out, to get into the press, to tell about their experiences, how it's helping their business, their economy, their life-style, their quality of life. It's happening, and we don't use it.

MR. CHAIRMAN: Dennis Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. I think my question was answered in the answer to Barrie Chiver's question, but just to clarify: you would not be opposed to government funding being shifted from the cultural heritage dimension, the dance and song and so on, to the immigrant orientation and other aspects?

DR. PHILIP: If that is the choice, that's the way it has to go.

MR. ANDERSON: Thank you.

MR. CHAIRMAN: I think the language training issue you stressed is something people would be quite happy to see. We have heard, as you are aware, a wide range of views. One of the big concerns in Canada, whether it's French or English, is the language question, and I think the commonality of being able to communicate is an extreme concern for many, many Albertans who've come before us.

MR. CHIVERS: Mr. Chairman, I'm sorry, but . . .

MR. CHAIRMAN: Oh, I beg your pardon.

MR. CHIVERS: There's one thing that's been concerning me during the hearings. I think some of the presenters that have spoken about multiculturalism have accepted your view with respect to the focus of the funding. But one of the difficulties I have is reconciling that type of funding, which essentially is a melting pot type of funding, with the mosaic view of our culture and our purpose. Can you reconcile those viewpoints for me?

DR. PHILIP: Yes, sir. We are not in favour of a melting pot. If you look at American history, which for a while was mostly the melting pot, they are now coming to our mosaic understanding. If you go to California, you can see bilingualism – that is, Spanish and English – and in other parts . . . So even they have officially recognized the limitations of the melting pot. Recognizing diversity is not to say that we are simply putting it in one pot. There are many analogies – the salad approach, this approach, that approach – but what we'd like to see is, as I said, recognizing cultural distinctness or diversity and using that to enrich us.

It is a situation almost like a conductor and a symphony, trying to make beautiful music rather than having 10 violins making individual noises and two clarinets and side drums and the list goes on and on. If you look at it individually they are beautiful, but there are violins and there are clarinets. What we are trying to make in a culturally diverse society in a mosaic atmosphere is beautiful music which transcends the individual musical sounds of those particular instruments. That is diversity. You can also take an agricultural model for that. You have a flower garden; you may have a hundred roses. That is beautiful, but if you have roses and chrysanthemums and jasmine and everything else, how beautiful that is, how much better it is. That's the type of society we are trying to build.

Thank you.

MR. CHAIRMAN: Thank you. I note in our analysis of your material a statement to this effect: before we espouse the Canadian Charter of Rights, let us espouse a Canadian charter of duties and obligations. I wonder if one of you could expand on that.

MR. CHAMPAKESA: Yes, sir. I had the privilege to put out that sentence. We had a number of programs and sessions where judges of the citizenship court came and talked to citizens. I got flyers and descriptive things giving the Canadian Charter of Rights. In any country in the world, if you want to be a citizen or live in that country and enjoy the privileges that accrue to you because of living in that country, you have certain duties to perform; for instance, a basic loyalty to the concept of that country's prosperity, working within the terms of the laws of the land, and not wasting too much of your time and talent bringing

issues in countries back home to be espoused in Canada because we are a free democracy and you give all the freedom to espouse them.

You mentioned budgeting. We certainly agree that what you had called, as that man said, the four-day syndrome last year – we do not believe you should fund it. It should be funded by the community if they want it. Certainly cross-cultural education, learning one or two official languages, because the first thing for an incoming person is to find a job, a home, and self-respect and not to be on the breadline. We certainly encourage learning English or French, but once they have found a place and a job, it will be a pleasure to know the other language. I lived 60 years in my country of origin where there are two official languages, and the population, quite a large majority, speak both easily without feeling they are being compelled to do it. Heritage languages are very good for culture, but that doesn't mean we are going to concentrate on them until we have everybody employed and with a place in Canadian society so their contribution adds to total prosperity. It is in that sense that I felt we must have Canadian duties and everybody coming into Canada must recognize that before they claim their rights. Rights just don't come like manna from heaven. We have to earn them.

MR. CHAIRMAN: Thank you very much for that explanation. It was very eloquent.

I appreciate very much your coming forward this morning. We wish you success in your valiant efforts to create the symphony or the garden in Canada. We hope the tune we are able to play together in the whole nation will be one of harmony and not one of discord. Thank you very much.

I understand Mike Bruised-Head and Keith Chief Moon are here now. If you would like to come forward – it's a little earlier than you anticipated – we'd certainly appreciate hearing from you. Good morning.

MR. BRUISED-HEAD: Good morning. I guess this is written on both sides in case . . .

MR. CHAIRMAN: In case you forget your name.

MR. BRUISED-HEAD: Or in case you call us something else.

MR. CHAIRMAN: Yeah. Right.

We're pleased to have you with us this morning and encourage you to proceed with your presentation.

MR. CHIEF MOON: My name is Keith Chief Moon, and I'm the vice-president of the Sik-Ooh-Kotoki friendship centre. Just for your own information, Sik-Ooh-Kotoki in Blackfoot is Lethbridge. We want to thank the committee for allowing us to make this presentation. We're very concerned about the developments that have taken place.

We're going to share this presentation. I'll do the first half. I'll open it and Mike is going to close it. That's what we're going to do.

10:15

The introduction, what I have in my presentation, is that as far as the native people are concerned a Constitution is basically a set of principles set out for a particular organization or a set of principles they follow.

I have taken the liberty of mentioning – I think I heard this morning that there was a bit of concern about being here in

Canada, but I just want to make it clear on the record that as Indian people and native people and aboriginal people, we have been here for tens of thousands of years. Canada became a country in 1867. They had the BNA Act, and section 91(24) specifically mentions Indians. At that particular time treaties were signed. Treaty 6 was signed in 1876, Treaty 7 in 1877, and Treaty 8 in 1899. All these treaties were signed before Alberta became a province. Now, the treaties were signed in good faith by Indians and, in turn, Indians were to receive "bounty and benevolence." I took this quote right from the treaty, and if I'm questioned on it, it's right in front of the treaty.

According to the definition of "bounty," it's a gratuity or an unusual additional benefit conferred upon or a compensation paid to, a premium given or offered; reward is more proper in case of single service. Then I've got "benevolence": the doing of a kind or helpful action towards another, under no obligation except an ethical one, the love of humanity. Now, those words were used in the context of Treaty 7.

If you look at the history of Canada, Alberta, the chiefs of the many Indian reserves, as far as dealing with the Indian people, it has not been very good. There are violations of human rights and no legislation protects. I specifically refer to an Indian person that has to live in the city. There's no legislation that protects that Indian. I've seen it; I'm still seeing it. Even though the BNA Act is still in existence and the United Nations Universal Declaration of Human Rights is still in effect, all this legislation – the Canadian Bill of Rights, the Individual's Rights Protection Act, the Employment Equity Act, the Canadian Human Rights Act – when we try to utilize it, does not seem to have any protection for the Indian person. The reason why an Indian person would move to a city is because he has no job, no home, no education, or no relation to an existing council or the chief. A common answer is, "Go and talk to your elected official." We do. But just to give an example, we've been trying to meet with our MLA in Lethbridge and he doesn't have the time to talk to us. So I'm saying there are serious violations happening to the Indian people, and I am of the opinion that if nothing is done . . . The Indian race is dying slowly, and no government is doing anything to protect the indigenous people of North America. I just make reference to the animals in the national parks. They get more protection than an Indian person living in the city. I can back that up.

Anyway, I am suggesting that we have these concerns. We would like to request this commission to consider that the Indians be represented not only in municipal governments, provincial governments, federal governments, the Senate, the judiciary, police forces, communications systems, the Supreme Court of Canada, and all governmental commissions and agencies; also, there should be representation in academic institutions – provincial schools, community colleges, universities and all postsecondary institutions – health departments, Consumer and Corporate Affairs, housing organizations, employment organizations, and any type of service that operates in an urban setting. Because what's happening is that nobody is advocating for the Indian. Everybody talks about self-government. Okay, we'll do it. Give us a chance to do it.

In closing, I'm asking that if it is the wish of the different levels of government to destroy the Indian race, why don't you just come out and say it? This way we can begin to preserve not only our languages . . . I'm very fortunate that I'm still able to speak my own language, but there are other native people, Indian people, that have lost it, and it's no fault of their own. We'd like to hang on to our traditions, our life-styles, our heritage. If you look at the track record of any government

supporting Indian communities, it's not very good. The illiteracy rate is 45 percent for Indian people. The incarceration rate in any given jail is 75 percent. The suicide rate is quite high. If you look at the unemployment rate in any given reserve, it's 80 to 90 percent, and there are the homeless for the reservations. Nobody is doing anything about these types of things, and we're asking that it has to be addressed. Canada portrays itself as one of the G-7 countries. What about the backyard at home? What are they doing for the Indian people? Nothing.

Don't forget that it was through the generosity and the kindness of our forefathers – my great-grandfather, Red Crow, was the one that signed the treaty. It was through him that you have the province of Alberta. So as the great-grandson of Red Crow, I am very concerned, and we'd like to ask this commission to seriously look at all the legislation. I'm no constitutional expert, no lawyer, no legal expert, but I can read. I don't know if your version is different from what I'm seeing. But it's there. I'm not making that up.

So in closing, I've been thinking about this. There's a clause about being a distinct society that's quite interesting. I think the distinct society belongs to the Indian people of Canada.

Thank you very much.

MR. CHAIRMAN: Thank you, Keith.

Mike.

MR. BRUISED-HEAD: Okay. I guess I'll start with a Blackfoot greeting. [remarks in Blackfoot] Imagine if I was to make this presentation all in Blackfoot. All of you would need a translator. I guess I'm just indicating the pride I have, after 500 years of colonization, that I'm very fortunate to be still very fluent in not just the Blackfoot but the old version of the Blackfoot language.

I'm the executive director of the friendship centre, the Sik-Ooh-Kotoki friendship society in Lethbridge. I guess we're very grateful to have the opportunity to make a presentation or a report to the members of this select committee on constitutional reform.

I guess the principle of our presentation is to begin the thought of how to better understand the realities of the native people, especially those who reside in the urban centres – that's who we're talking about, the people in the urban centres – and for us to all work toward developing constitutional rights that will protect us and serve the urban native people. There are more native people in every major urban centre across this country than on reservations or the Metis colony. So we'll give you – and I think Keith has already done this – some thoughts to begin this process that hopefully will not end here but we'll have a continued dialogue and debate in working together to establish something very concrete and make the realities of this select committee for real and make them happen rather than sitting here and in the next 10 years we have another hearing like this; to start this discussion on certain rights that the urban native people don't have. We're just suggesting these, but our suggestions are concrete.

The friendship centre in Lethbridge has witnessed a continuing enlarged trend of migrating native people to the urban centres, specifically Lethbridge in this case. Along with that migration to the urban centres come a lot of adjustment problems. Whether racial discrimination, employment, whatever, the whole situation is there. The conditions and the servicing of programs are inadequate in serving the urban native people. The urban native person does not have the accessibility to programs that status Indians . . . Again, most of those are status Indians

coming into urban centres along with the nonstatus and Metis people. They do not have the same obligations or benefits that people living on the reserve or on Metis settlements have and are not eligible for certain programs because the dollars just don't reach, jurisdictionwise, into the urban area.

10:25

The four general reasons that Keith has touched on of why native people are leaving their homelands or their native communities are due to large housing shortages, high unemployment, no land base, and lack of postsecondary and even high school educational opportunities. I could maybe list another hundred reasons, but those are the four primary reasons which indirectly or directly force native people to leave their homelands and, wishfully thinking, moving into the city to try and obtain a better life-style, which is not there.

For the same four reasons the native people are often forced to live in urban areas, which in the majority of cases are no better than the native communities themselves. There is no political, legal, or financial representation that is formally in existence to lobby for or assist the urban native people, other than some friendship centres. We are taking that role whether we want to or not. Each friendship centre, I think, is the hub of the city for native people in each urban community. This has come to us forcefully: represent the native people or we're not doing our job. It's just that that's how it's happening.

There is no political, legal, or financial representation in existence to lobby for or assist the urban native people. Again, the friendship centre has to accommodate those kinds of problems and concerns. The friendship centre in Lethbridge is requesting that this province seriously look at developing constitutional protection that will serve the urban native people's needs. These constitutional rights should in turn make services and programs available to the native people, whether they involve medical, educational, or whatever other rights that are stemming from the treaties. I don't think that by moving into the urban centres, somebody has to give up their rights. And they're not giving them up; it's that they're not being allowed to exercise and benefit from these rights. I think the federal government and the provincial government have to recognize that.

The friendship centre should also be given the recognition to initiate urban native administrations to deal with the present problem situations. The friendship centres are at the present time the most appropriate organization to meet and understand the plight of the urban native person. There's no other centre that is deeply involved. There are 102 friendship centres across this country, 14 in Alberta, and they probably say the same thing: "We are doing work probably the Metis people should be doing, the other native organizations should be doing, or the reserves should be doing. But these people are coming from all different directions into urban centres, so we're handling people that have left their homelands and probably will never go back home." It makes you wonder. I think we'll slowly die off, become extinct. These are the concerns that we have. I'm also a great-grandson of Red Crow, so this is something that I'm very concerned about.

It is suggested that there be the formation or development of an urban Indian Act which will outline at least some constitutional framework for the urban native people. We talk about self-government on the reserves, but not everybody is going to leave the urban centres and run back home, because of the four reasons why they left in the first place. Those have to change, and they're not going to change overnight. Even self-

government may work for those people who are presently residing on the reserve or in the Indian communities, but it really does not do anything for the urban native person.

The urban Indian Act is just a suggestion that may provide the necessary constitutional recognition to have federal or provincial funding agencies provide services and programs that reserves, municipal, civic, and provincial governments are unable to resolve today. The present political boundaries in provincial legislation should also seriously entertain the thoughts of having elected urban native representation, such as filling the chairs that are sitting around you. We need to have native urban representation in the provincial Legislature. People are yelling the same thing across the country: to have seats in Parliament. Well, I think we need that too. A lot of times I think the provinces are dealing with the end result that the federal government is not doing and the provincial government is being stuck with that. You in turn send it to the cities. The cities then send it to the mayor and council, then it comes to the friendship centres, and we're wondering: jeez, why does the buck stop at the centre?

I think these are things that you may have to design and entertain seriously, redrafting the constitutional boundaries. We'd like to have native MLAs that the native people elect themselves. Right now there's a lot of people. We're still a minority in the urban centres, but at the same time we're a very highly visible minority in terms of problems. Sometimes we're not being understood, what our concerns are. I know you people are very, very busy. I think by having native representation, those native MLAs will go to the root of the problem and have time for that.

Those are, I guess, two very strong suggestions that this committee should entertain. We're able to and want to participate in any future discussions in developing this kind of mechanism.

In closing, the above ideas are only the beginning process to develop a new and better future for native people, but it will require extensive discussion and realistic planning and implementation of government officials and urban native leaders to have something concrete from hearings like this. Making the efforts of this select committee become a reality will require scheduled meetings, very frank discussions, and implementation of this committee's constitutional reform mandate, your original mandate, why you are traveling the province. I think we could help make a reality of your original mission or mandate, and we'd like to participate. That's all we ask. Because if nothing is done, I think we'll become extinct.

In closing, I thank you for allowing us to make a presentation, and hopefully you will have the opportunity in the future to visit us in Lethbridge. You know, it's not that we always want to show the ugly side of it, but we will give you a very strong presentation on where native people are in terms of poverty. I know city councils across this province want something done. We want something done too. We want to help out too, but the Indian Act and the Metis Settlements Act do not extend into the urban centres, and we're a football. The feds chase us back to the province; the province says we're a federal responsibility and go to the reserve. Well, it's easier said than done. With the four reasons people are going to continue to move into the city. That is a fact right now.

Thank you very much.

MR. CHAIRMAN: Thank you both for your excellent presentations. One of the things that our committee is charged with doing, obviously, is trying to make recommendations for changes to the Canadian Constitution. At the present time it is clear

that Indians and Indian lands – and that includes Inuit because of the court interpretation – are the sole responsibility of the federal government. For years many, and most, native organizations have said to the provinces, "We don't have a relationship with you as a province." That is changing and has changed quite remarkably in the last little while. That, I believe, to be a very useful development. This buck-passing or football-kicking, as you use, has got to stop. We've got to work out a better accommodation so that you're not being bounced from one government to another.

Until the Constitution is changed to give the provincial governments responsibilities, it creates a problem for the provincial government to legislate in areas. For example, if we introduce an Indian urban Act in Alberta, it might very well be struck down under the present Constitution because of section 91(24). Now, I don't want to get too much involved in the constitutional . . . I am a bit of a constitutional lawyer and you are not. That's one of the problems that we as a provincial government face. In the next round – and I'm very encouraged by what took place in Whistler, British Columbia, and what is taking place in the dialogue that's now under way amongst the native communities themselves – we can start dealing with some of these very real issues. I just wanted to make that comment before the other members of the panel entertain some questions.

Bob Hawkesworth, Barrie Chivers.

10:35

MR. HAWKESWORTH: Thank you, Mr. Chairman. I'd like to thank both of you gentlemen for your presentation this morning and also say that I think every member of the committee is aware of the good work that friendship centres are doing in communities all over Alberta. I appreciate the work that you're doing in Lethbridge.

As you went through your presentation this morning, I guess the question that I'd like to raise with you is this. I don't think there's any denying the problems that are being faced by urban Indian people or Indian people everywhere in our province and around Canada. Is the situation, in your view, a result of the failure of our Constitution, or is the failure somewhere else, perhaps in our programs, our policies, an unwillingness by politicians to give this matter a high priority, or is it a failure someplace else, in none of those areas?

MR. BRUISED-HEAD: Yeah, I'd like to respond to that. I guess there's a failure on both sides. We say politicians and we say administratively – well, I guess politically, legally, and economically and specifically the treaties. The treaties are very precise in one way and very elaborate in that they outline the rights, but Indian affairs with their Indian Act have this administrative policy that's been in existence since the first draft in 1874 and four or five amendments since then. It does not correspond with the Constitution Act. A treaty is the biggest thing of all, at the top, and here's an administrative policy that has undermined all treaties across this country.

Further to that, the interpretation of the Indian affairs department is so limited that even the Indian Act is not being followed. Then if you go through the Indian Act in the first two parts, right off the first page, Indians and lands reserved for Indians, I wonder if they ever anticipated that in the future the Indian people would be moving into the city. I don't know if they want to cage us. Maybe we were supposed to die off 20 years after we signed the treaty, but we're still in existence, so they didn't foresee those things. I don't know if they wanted all of us to always stay on the reserve all the time, but through the

same implementation of the Indian Act by Indian affairs civil servants, right now they have a choke hold on the political, legal, and financial institutions stemming from the treaties, and right now there's high unemployment. We could blame the chiefs in council – maybe part of their problem is their inactiveness – but that's how the Indian affairs officials have implemented this Indian Act.

At the same time, this Indian Act has caused the four general reasons why Indian people are leaving their homelands, and there's a vacuum created now that is not addressing those migrating, adjustment problems right now, so that is what we have to work on now, why we're saying, "Well, let's take the treaties as the top of the table and develop an urban Indian Act from there." You know, right now there's no land base for the urban Indians, which makes it that much more difficult to feel safe, protected. It's like an invisible perception that we feel all the time: we have no legal or political entity to protect us or to represent us. Keith and I are representing ourselves and the friendship centre and indirectly the membership of the friendship society and the urban native people, but we're not chiefs in council. Maybe that's what we need, an urban Indian chief in council similar to the format that exists on the reserve.

I don't know if the Indian affairs people ever saw or even thought of this. I wonder if they want right now the 8,000 Blood Indians to always live on the reserve, just like a big cage; it's like a jail to us. But now we've gone out, and I think there are more Blood Indians living off the reserve than on the Blood Indian reserve. The reason why I'm saying that is because I'm from the Blood reserve and I'm taking the liberty to speak out, and I'll not speak out for other bands, but I know their band members will say the same thing. But I'm from the Blood reserve, and I'm taking my absolute human rights privilege to speak up, because there is something wrong with the whole system.

MR. HAWKESWORTH: I appreciate what you're saying. I think the idea of an urban Indian Act is a new one that I haven't heard before, and it might take us a little while to get a sense of what might be involved in that. Would you see that being a federal law or a law that might be passed by the Alberta Legislature?

MR. CHIEF MOON: Well, it's got to be a combination. I think the framework is set out that you always make reference to Her Majesty, like in sitting here, we refer to Her Majesty as the Crown, so it's going to have to be a combination. When those particular treaties were signed, it was nation to nation, and from that point on the reservations were created, but they didn't take into consideration that there would be a migration of native Indian people to the cities. I guess in that sense, if all else fails – we don't want to start suggesting something drastic, but there is nothing to stop the Indian people from creating a province for themselves and asking to join Canada. There are other options.

I think the track record has been that governments are very unwilling to deal with this. They were hoping that it was just going to go away, but it's come to the point that we have to deal with it. Then there's part of the reason why we're here: we still believe that there can be a solution that's going to be acceptable to you. I know it's not going to happen overnight, but you look at the failure of the constitutional talks on the aboriginal people. They failed. So we're saying: "Well, look. We think we can come up with it, but we want to be able to sit down in round table discussions where we can come up with a solution that's acceptable to all." I think where we're at is we have been forced to live in the cities because of the fact that had we decided not

to move to the cities, we would be statistics; we'd probably die off. For humanitarian reasons we wanted to better ourselves.

MR. CHAIRMAN: Yes. Barrie Chivers.

MR. CHIVERS: Thank you, Mr. Chairman. There has certainly in the hearings that we've held across the province been a recognition of the plight of aboriginal peoples, and that includes the urban aboriginal peoples, and I wanted to say to you that unfortunately we don't have a lot of time to discuss these things this morning, but this is the beginning of the dialogue. We have as a committee extended an invitation to aboriginal peoples, and I'm hoping that that would include representatives of urban aboriginal peoples, as it should.

Now, what I wanted to pose to you is something perhaps that you could think about, not so much because I expect you to give me answer today, but one of the models that has been proposed is the model proposed by Ovide Mercredi, the leader of the Assembly of First Nations. That is a model that is based not on jurisdiction by territory but jurisdiction by person, and it's a model of constitutional reform which would give aboriginals self-government on the basis of a jurisdiction over aboriginal peoples. I am wondering how that sort of a model of aboriginal self-government would adapt with and meet the needs of urban aboriginals and whether or not there is a sufficient community of interest between the needs of urban aboriginal peoples and aboriginal peoples living elsewhere.

MR. BRUISED-HEAD: I guess just in response to that we'd have to go through Ovide Mercredi's proposed model, but at the same time, I have not heard full endorsement from all native people across this country. We'd like to tear it apart and see how it will help the urban native person. It's easy to accept, "Oh, here's a model of jurisdiction by person," but will that be applicable here? I say applicable, because each of your provinces has a different constitutional framework, you know. The feds have a constitutional framework. It may work in Manitoba. It may work in one town in Manitoba, but each area has to be taken into consideration, and I respect a continued dialogue on this.

10:45

We'd have to look at that, but right now I would have to say that if it's a general federal - national - proposition, it may not be specifically dealing with those, because that's what has happened now. There are all these constitutional policies, but they don't reach that poor Indian on the street because somehow it stops and only goes so far. To me, the way I see it, it has to start from the bottom to the top, where we tell Ovide: "This is what we need. We're suffering here. We're dying off. I think this is what's going to save us from dying off and from hunger and from being cold." Those things stem from the bottom to the top, because the majority of the native people in this country are in poverty. Eighty to 90 percent of any tribe, any band, any urban centre native people are unemployed. So it's best to hear from the underprivileged people what they think will serve, because a lot of these constitutional discussions have omitted those people having a direct say or representation. The underprivileged native person has been overlooked. Everybody has come with all the solutions, but they have not helped.

I'm not downgrading the proposed model. We would have to analyze it. Some parts of it may work; some parts may not. I'm not going to wholly endorse this or reject the model. It is something that should be carefully debated.

MR. CHIVERS: I agree.

MR. CHAIRMAN: Gary.

MR. SEVERTSON: I'll pass.

MRS. GAGNON: I was just going to make the point about the round table discussion which our committee wants to have with the native people in Alberta. I do hope that comes off.

Thank you.

MR. CHAIRMAN: Well, thank you very much, both of you, for your excellent presentations. We want to have this dialogue as a government. I think it's important that the Legislature - and all parties are represented here - is hearing your views. As I said at the outset, I don't think we should be bound by this dividing-line concept that we've heard so often that, "We won't talk to the provinces, because you are not responsible for us, and you were not part of the treaty process," and all these old sayings.

You both come from the Blood reserve. I was quite distressed, quite frankly, when at the time of the last provincial enumeration the government on the Blood reserve would not allow the members to be enumerated so that they could participate and vote in the next provincial general election. That was a decision taken on the Blood reserve, and quite legitimately done, I gather, but that's the type of thing which helps keep a dividing line and prevents a greater native participation in the electoral process, which obviously is a key to having greater input. These types of things, I think, have got to come to an end. We can't keep on doing those things, or we will just be like ships that pass in the night.

I very much appreciate your coming forward today and giving us a very interesting proposition about how to deal with the concerns of native peoples in urban centres.

MR. BRUISED-HEAD: Well, I hope in the very near future we have name tags that also say, "Hon. Keith Chief Moon" instead of these cards.

Thank you.

MR. CHAIRMAN: Well, as you know, we have in our Legislature three people of native ancestry, of Metis origin, and that's a start, a good step. We hope that there will be more and more native people taking their place in the elected councils of this country.

Thank you very much for your very excellent presentations.

Cynthia Walker. Good morning.

Yes, you can keep that as a souvenir.

MISS WALKER: Good morning. Thank you for allowing me this opportunity to be heard on this most vital issue. I've prepared very formal remarks this morning in the attempt to constrain myself to the 15-minute time limit, but I hope there will be time afterwards for a brief discussion.

For the information of the committee, although I was unable to submit my remarks in advance, working on the usual deadlines that I do, I do have copies for each of you here today, so you will have written copies of my remarks when I conclude.

By way of introduction, I must express that like many other Albertans I will be profoundly grieved should Quebec decide to leave Confederation. Nevertheless, that decision will be made by the people of Quebec and not by the members of this

government or of this panel. Therefore, in the limited time available to me today, I would like to leave that subject aside and to concentrate on the issue which we will all have to address whether or not Quebec chooses to remain Canadian, and that issue, in my mind, ladies and gentlemen, is the division of legislative powers.

Allow me to backtrack for a moment and ask rhetorically, if I may, what purpose a constitution is intended to serve. Very simply, a constitution must in a democracy serve as the social contract by which the majority of the citizens of the state are prepared to live. It does not normally specify the content of the law, but rather it assigns the jurisdiction of each echelon of government, and it may go so far as to remove matters from the realm of all governments, essentially imputing sovereignty in that regard to the individual.

It is because of a constitution's role as social contract, because it defines the relationship between the governors and the governed, that a constitution must be stable, enduring, and, to the extent possible for any contract, timeless and certain. Certainly it must be reasonably capable of being amended, and for that reason I urge this government not to accept any amending formula which would require unanimity, because we've proven throughout Canadian history that unanimity is virtually impossible, especially in constitutional matters. It must also be a living document, to be interpreted by the judiciary within the contexts of the times in order that it may continue to serve a changing society. Nevertheless, a constitution must not be viewed as being merely temporary, the rules du jour, if you wish, to be tinkered with on a whim by the powers of the day to serve their immediate political aspirations, for this undermines the stability of that fundamental relationship of governors and governed and thereby undermines the nation itself.

In considering the division of powers for a federal state, therefore, it is imperative that we rise above immediate passions and reject private political agendas and ulterior motives in favour of choosing what is over the long term in the best interests of all Canadians and in the best interests of the political entity known as Canada. In this respect, as far as I'm concerned, only two questions need be asked regarding the allocation of any given power. First, which level of government is most capable of exercising that power given considerations of regional distinctiveness, local responsiveness, capacity to deliver the service, minimal duplication of effort, and whether local control is otherwise required. Two, if the provinces are found by the first question to be the most capable echelon of exercising that power, is there nevertheless an overriding requirement for that power to rest with the national government?

I emphasize the potential requirement for national control. As the world enters the next millennium and continues to shrink at an accelerating pace, it is my opinion that the differences between provinces of Canada, other than Quebec, will similarly shrink, and simultaneously it will become more and more essential for the national government to exert greater control over certain aspects of Canadian life in order that we may continue to fulfill our role as principle player on the world stage.

10:55

Allow me to develop those two points separately. I have said that I expect regional differences within non-Quebec Canada to shrink. This is predicated on the continued practice of making transfer payments from the have-provinces to those which have not in order that regional economic inequities might be reduced. I am confident that few among us would disparage this practice; indeed, it was entrenched in the Constitution Act of 1981.

Moreover, I believe that it is morally imperative. In terms of economic development initiatives, it is true that the recent practice of national governments has been to do more for the industrial heartland than for the hinterland through its variously named departments of regional and economic expansion. However, I believe that the principle of regional economic diversification along with the direct aid provided by transfer payments is also morally required, and if it were pursued in a less partisan manner than has been the case in the past, that too would reduce economic disparity in the country and thereby reduce regional diversity.

My second point was that the shrinking world will require a greater concentration of national power. This relates to the growing need of Canada and Canadians to compete internationally, particularly for economic opportunities. Canada's ability to compete is significantly hindered at this time by its diminutive population and vast distances, resulting in poor economics of scale for the manufacturing sector. Compounding this problem is the allocation of such powers as employment standards to the provincial level of government. I choose this example as one with which I am most familiar in my role as a consultant within the pension industry, although certainly innumerable other examples could be found without difficulty. I ask your indulgence as I describe the extent of this problem in this single field for illustration.

In the mid-1980s Ottawa first reformed its own pension legislation which pertains to employment covered under the Canada Labour Code. Several provinces, including Alberta, followed suit shortly thereafter, but not all provinces have reformed their legislation to this date. Among those provinces which have reformed their legislation, there are innumerable differences among the details of each jurisdiction's respective Act and regulations. In spite of repeated pleas from pension plan sponsors for greater uniformity in the legislation, some provinces are proceeding to make further changes in their Acts, decreasing whatever precious little uniformity may have previously existed. I must add, moreover, that these differences are not significant philosophical disagreements which cannot be compromised. Instead, these differences are petty, such as whether a surviving spouse should receive a pension equal to 60 percent of that paid to the deceased member, which is what Alberta provides, or 66 and two-thirds percent, which is required by Manitoba, or whether the member should become vested in his benefit after two years of pension plan membership as opposed to five years of continuous employment for that employer. The result of this, ladies and gentlemen, is chaos for the employer trying to sponsor a multijurisdictional pension plan. The chaos results in higher costs for developing, maintaining, supporting, and administering these kinds of plans and thereby directly reduces the international competitive position of the employer against corporations that are not similarly hindered.

As I indicated, this is just one example of many of the negative impacts on the nation of the current division of powers. By jealously holding on to such powers, the provinces are only undermining the long-term economic interests of both the province and the nation as a whole. A similar argument may be made in respect of any number of currently held provincial powers. More certainly, further decentralization, such as that which this government has recently advocated, will only create further chaos, a weaker national economy and, ultimately, a weaker nation.

Two further points must be made in favour of having a strong national government. The first is that only a strong national government can exercise the powers required to reduce regional

disparities and ensure equal treatment of all Canadians in the most fundamental aspects of life, such as civil rights, health care, and educational opportunities. Without a strong national presence in these fields, such as education, the opportunities for Canadians will be determined by their province of birth rather than their own innate abilities and drive, and that result would be unconscionable.

The second reason is that, in my view, the deficiency of Canada which is most likely to allow us to drift apart as a nation is the lack of a national identity. There is an old joke about the difference between Canadians and Americans. An American will describe himself as "American as mom, hot dogs, and apple pie." A Canadian, by contrast, will call himself "as Canadian as possible under the circumstances." We tend to define ourselves as Albertans or Quebecois, and perhaps only those from Toronto feel close enough to the national seat of power to call themselves Canadians. If we further decentralize the division of powers, we will undoubtedly exacerbate this problem and further diminish what little national identity exists. One can only feel Canadian, after all, if one can feel at home and treated as an equal regardless of where they are in Canada.

Like anyone else who lived through the nightmare of the national energy program, I do not advocate centralization of power lightly, nor do I suggest that the current national government institutions are adequate to ensure fair representation of all Canadians at the national level.

I commend this government for its adoption of the triple E Senate as an appropriate reform to be undertaken at the national level to ensure that regional voices are heard much more than is currently the case. It is imperative that Alberta continue to press for this reform, particularly by educating other Canadians as to the inherent fairness of such an institution along with the inherent unfairness of the current makeup of Parliament, and we must pursue this goal even more aggressively than we have in the past.

An equally important reform, which to my knowledge has not become a platform of this government, is the reduction of party discipline in both Houses of Parliament, however else those Houses might ultimately be restructured. Too often, instead of having the views of Albertans represented in Ottawa, we merely have the views of the caucus of the day represented to us. Canadians place great emphasis on our heritage of British parliamentary democracy, yet even the British Parliament has abolished the notion that the government must resign on the defeat of any one of its Bills. That Canada do the same is long overdue.

If both of these parliamentary reforms could be achieved, Albertans would have nothing to fear from greater centralization of power at the national level. Indeed, if both of these parliamentary reforms could be achieved, Quebec could also be unafraid of remaining Canadian, for along with these reforms we could take whatever steps are necessary to protect Quebec's language and culture without reducing the national government to a peripheral role dealing only with natives, national defence, and Canada Post.

Finally, if these reforms could be achieved, Canada could look forward to the coming millennium as a more unified nation with strength, pride, and optimism. If, on the other hand, we retreat to our provincial boundaries and take as much power as we can with us, Canada as a nation will become balkanized, weakened and, inevitably, on the road to national dissolution.

Ladies and gentlemen, that's the conclusion of my formal remarks. I appreciate your attention, and I invite your questions.

MR. CHAIRMAN: Any questions? Yes, Dennis.

MR. ANDERSON: Cynthia, it's good to see you again.

MISS WALKER: Thank you.

MR. ANDERSON: I appreciate your closing comments with respect to the balance required in national powers and the need for reform if that's to take place. I also appreciate the example that you gave from the work that you've been involved with.

There is another perspective, however, one that suggests that as the world moves more quickly, it's even more important that the government closest to the people be dealing with its resources and its direction. One option to federally exercised power that's been discussed for some areas by some presenters is that of a requirement that the provinces get together with the federal government to establish these standards and that they're administered on a provincial basis. Would you feel that that's an alternative that could be explored to only entrenched federal government powers?

MISS WALKER: That's a good question, Dennis. We have seen the growth in recent years of the use of federal/provincial conferences on a multiplicity of issues, and we have seen growing federal/provincial co-operation on such things as the Canada pension plan. I can see that that might be an alternative, but I can see also that it would be at best a second-best alternative, the reason being that I believe it's important that national powers be discussed by people who are elected to represent the province on those national issues. When I elect my MLA, I elect him because of what he represents to me provincially, and when I elect my MP, I elect him on the basis of the stance he takes federally. Those two positions may be very much in conflict with each other.

11:05

MR. ANDERSON: It's a good point. Do you feel that in a nation our size and with our complexity, representatives from all parts of the country would be able to determine most of those items that we need to deal with in individual ways across the country and that have developed on a historical basis differently in different parts of the nation?

MISS WALKER: Dennis, I believe that an elected body, whether that be the Parliament or the Senate, especially if that elected body has the capacity to go beyond party discipline lines, would have as much capacity as any other organization that we could put together to examine these issues and come to a fair conclusion that would be suitable for all Canadians to live by.

MR. CHAIRMAN: Well, thank you very much.
Barrie, yes.

MR. CHIVERS: If we still have time, Mr. Chairman, I'd just like to pursue a bit more with you Dennis's proposition that perhaps the way to establish national standards is to leave the power to legislate, the division of powers, with the provinces and then arrive at some agreement amongst the provincial governments. The concern I have is that that tends to lead to a lowest common denominator type of solution. I'd like your views on that.

MISS WALKER: Thank you, Barrie. That's a very good point. Another problem that we have with leaving it in the hands of organizations to arrive at a standard nationally that will then be adopted by each province is illustrated in the pension context. There is a national association called the Canadian Association of Pension Supervisory Authorities. This body meets regularly, and it is to this body that the pension industry has been moaning about the lack of uniformity in regulations. Each time they meet, we in the pension industry hear more promises from them that greater uniformity is on the way, but we don't see any evidence of that. If it works at all, it's an alarmingly slow process; it's not a productive process. In the meantime, we're saddled still with the nonuniform requirements that provinces don't seem to be willing to budge on, and as I indicated in my remarks, the inclination of provinces is still to go back to their own private agenda and make changes to their pension legislation that takes it again further away from the side of uniformity.

MR. CHIVERS: Thank you.

MR. CHAIRMAN: Well, thank you very much, Cynthia. Just before you leave. A number of people have suggested a radically different system of reaching constitutional change. You didn't address that at all. Have you considered it?

MISS WALKER: I have considered the amending formula, and of course that was considered in great detail because of what occurred under Meech Lake with us trying to amend the Constitution on a unanimous basis. As I indicated, I think unanimity is impossible to achieve in this Confederation. Certainly we've proven that for the last 124 years. So my inclination is that the amending formula, which we have already arrived at with the 7, 50 proposition, is probably the most reasonable that we could hope to achieve. Certainly that means a significant majority of the provincial governments have opted in. Those provincial governments are representing at least the majority of Canadians, and therefore presumably the amending formula wouldn't result in amendments that are on a wholesale scale outrageous to the Canadian public. If I were to add anything to that amending formula, I would add the requirement for referenda, and I would add that because we saw in Meech Lake that there was, at first anyway, inadequate consultation by many provinces with the members of their public. In my estimation, if Meech Lake had been put to a referendum for Canadians, it would not have met the 7 and 50 test.

MR. CHAIRMAN: Okay; well, we'll never know, will we? Thank you very much for coming forward.

MISS WALKER: It's my pleasure.

MR. CHAIRMAN: Is Mr. Parizeau here?

I'd like to welcome you to this select special committee of the Alberta Legislative Assembly. We have had indication that you're interested in giving us your views about the future relationship of the people of Quebec and the rest of Canada, including Alberta. Our Premier had suggested, indirectly at least, that you might want to address your views to our select committee, and I know you've had discussions with my colleague the Hon. Dennis Anderson, who extended the invitation on behalf of the committee to have you come forward and present some thoughts to us today.

As you can see, you have attracted a fair amount of media interest, so we're all looking forward to hearing your comments.

Then I'm sure members of the committee would like to exchange some dialogue with you.

Of course, we haven't simultaneous translation facilities available here, but I understand you've indicated that you're quite comfortable in discussing the issues with us in the English language. Please proceed.

11:15

MR. PARIZEAU: Indeed I am, Mr. Chairman. I would like to thank the committee for the invitation that I have received. My objective this morning is not to try to convince any of you of the beauties of Quebec sovereignty – I wouldn't dare – but rather to present my own perspectives on the present constitutional crisis in Canada. I hope they can be useful. I cannot avoid drawing, to set these perspectives, not only on my present role as Leader of the Opposition in Quebec but on 30 years on and off of federal/provincial negotiations, and that I think will show.

I would like to start by stating the obvious but what has not always been considered so obvious in Canada for a long time: to be a country, a country needs a wide range of national policies. In that light Canada has been very much a country during – and I'll go back a long time here – the World War years and in the years of the aftermath. Nearly all our great social programs, which in a sense typify Canada, date from that period, the last one, medicare, being in the late '60s. That is now considered so much a sort of symbol of what Canada is, particularly with respect to the United States.

But not only social programs. There was at that time undoubtedly an industrial policy, the sort of thing that so many people now in Canada try to rediscover, and the last episode of this is the Premiers' Conference in Whistler. An economic or industrial policy was also typical of those years. At the time, money and resources were highly centralized in Ottawa, and then the provincial assault started, led by Quebec, and it lasted a long time. And here I don't want to be very specific, but there are episodes of I think considerable consequences to understand what has happened more recently: the 1964 crisis where Quebec left 29 cost-shared programs at one blow; the decision that the Canada pension plan would be partially funded, and provinces – only one – withdrew, but provinces could withdraw and set up their own things; the spread of equalization during those years; and the funding of established programs on an unconditional basis. It was a momentous decision, something that never occurred in the United States. In the United States throughout that period and even today there are hardly any unconditional transfers; everything is conditional, including equalization.

This assault on federal powers and the possibility for the federal government to define national programs was, as I said, led by Quebec, but it developed among other provinces, inevitably, considerable appetites. Insofar as Quebec wanted to do its own things, it was inevitable that other provinces would, to a certain extent, follow suit, not necessarily as much as Quebec wanted or did but to a considerable extent.

At the same time that Quebec was trying to define all kinds of new roles within the Canadian Confederation with respect to both social and economic policies, we witnessed the rise of the language issue, and here again momentous decisions were taken that were often not understood as being momentous decisions. A province that in practice was bilingual and had been bilingual for generations decided to embark upon a course that inevitably led it to being a province, a state, a nation – whatever you want to call it – that would function in French, and this, contrary to what most people think, didn't start with the Parti Québécois in

power. It started in '74 with a Bill presented in the National Assembly in Quebec determining that from now on the only official language in Quebec would be French – that was 17 years ago – while at the same time the federal government was embarking upon a course of official bilingualism for Canada as a whole. This orientation taken by Quebec to set up a society that would function in French led to a number of episodes: Bill 101 when we were in power, Bill 178 by the present government of Quebec. But everything was in the making when, clearly, this remarkable decision was taken in Quebec in '74 that French will be the only official language.

Thirdly, I must say as one of the main characteristics of all that time, during the time when the PQ was in power, we witnessed the rise of the Quebec entrepreneur. The appearance of this very peculiar combination of the Quebec government and of rapidly growing numbers of entrepreneurs in Quebec led to this shortcut in terms of expression of Quebec Inc. The reaction in Ottawa against all this, against this breakup of central functions in Ottawa, we tend to summarize in talking of the Trudeau years. It was undoubtedly an attempt to come back to substantial national policies to, in fact, stop the breakup of central functions. We know now that some blatant choices were made at the time that in a sense had an opposite effect. I'll just mention one example that you know so well out west: the national energy policy that in practice robbed the west of enormous sums of money. In any case, the deficit that was started at the federal level at that time reached here again a moment in history. That was when in 1984 the deficit of the Canadian federation attained the extraordinary level of 50 percent of total revenues. Sometimes I wonder if what that figure means has really sunk in. At the time the deficit represented 50 percent of federal revenues and, therefore, condemned the federal government in a number of areas to sterility for a long, long time.

During all this, yes, one can say thank God for natural resources; one can say thank God for the Canada/U.S. automobile agreement, which allowed a major industrial reconversion of Ontario. But we know now that all this wasn't enough. The Canadian economy hasn't the degree of competitiveness that we'd like it to have and that is necessary in that kind of work. Quebec Inc. not only developed but achieved a sort of state where the possibility for Quebec to go it alone became glaring. That was the main conclusion of the Bélanger-Campeau commission. We also came to see Quebec as a real pain in the neck in the proper functioning of the Canadian federation, while at the same time, obviously other provinces – and I'll say a few words on this later on – had to come back in some ways to the definition of national policies.

11:25

The situation today as I see it has brought us to this: as far as Quebec is concerned, three figures. Support for the sovereignty of Quebec in public opinion was 40 percent in 1980 in the referendum. It has been remarkably resilient in the few years that followed. Then it has moved to about 60 percent in the last two years. Oh, sometimes it's a bit lower, sometimes it's a bit higher, but more or less 60 percent. Sixty percent: that means about 70 percent of Francophones. It means that when you take a public opinion poll, before you divide undecided and no answers, you get in favour of sovereignty 2 to 1, more or less.

A Bloc Québécois has emerged that for the first time will allow Quebecers not to be in the position of voting in favour of a souverainiste party in Quebec and a federalist party in Ottawa. That's a great lesson of the Bloc Québécois. For the

first time, people will be in a position to vote in the same general direction both in Quebec City and the House of Commons. Popular support for the Bloc Québécois at the present time: 45 percent, more – more – than the three major parties together. As for the Parti Québécois, it has indicated quite clearly that it is coming back to its objective of achieving the sovereignty of Quebec; that is quite clear in the minds of everyone now. The Parti Québécois these days is in the polls usually ahead of the Liberal Party by an appreciable margin. Now, these things can change. These figures can change, and I quite realize that nothing is ever certain in politics, but we come to the present constitutional crisis in the light of these figures.

Now, I think one has to understand here the position of the Premier of Quebec. Meech Lake was an incredible fiasco as far as he was concerned. He had put all his eggs in the same basket. He is – and I hope that is quite clear now – undoubtedly a federalist. He must now pin his hopes on important, substantial offers by the rest of Canada. Yes indeed, he's using what can be considered by some as ploys: Bill 150, with a referendum on sovereignty at the end of October; refusal to sit at federal/provincial conferences. But in a very real sense, I don't think that one can see his position as being cynical at the present time. In a sense it is somewhat pathetic, because his own troops are now split along the sovereignty line. Furthermore, he is at the present time battered repeatedly under decisions taken either by the courts or by the federal government that put in jeopardy some of the sacred cows in Quebec: the Great Whale project and the recent decision with respect to the federal government's authority on the project, the demands of aboriginals, the recent federal intrusions in education, the project of – I don't know who cooked that one up in Ottawa – a federal department of Quebec development. In a sense I think what the Premier of Quebec is now trying to send as a message is, "Give me a chance."

With respect to the rest of Canada, here I'll tread very lightly, but my reading of things is as follows. I was very impressed, as were many others in Quebec, by the changes in public opinion during the Meech Lake debate, where it appeared very clearly that the Charter of Rights had achieved in a few years considerable significance as a sort of symbol of what Canada is, and the distinct society concept was flying in the teeth of what appeared to be the significance of the Charter of Rights for a great many Canadians. That the distinct society clause could in any way override the Charter seemed intolerable to a number of people, while at the same time the Premier of Quebec was saying in Quebec that if there was no way the distinct society could override some dispositions of the Canadian Charter of Rights, then the situation would be worse than the status quo. But here again I can understand that so many people outside of Quebec and in Canada at the present time feel that one has to be, according to the Charter of Rights, a Canadian or something else. It's not only that I found this respectable; considering the fact that I've been traveling through Canada for more than 40 years now, I tend to say, "At last."

The triple E Senate is in a sense perfectly understandable also in the light that if all Canadians are equal in front of the Charter, the regional political expressions must be also, but of course that implies a clear refusal of a special status for Quebecers and a special status for Quebec. It also inevitably had to lead to the recognition of the importance of national policies, and in that sense I think it's certainly the most remarkable aspect of the recent Whistler conference, where the Premiers of the provinces say that we need national policies and

say with more and more people in Canada that we also need a strong central government.

Now, this, of course, is leading us on a collision course. On the one hand, there is in Quebec a very definite appetite to have a society that functions in French, that can do its own things within the Canadian economic space and the North American market. At the same time, there seems to be a Canada emerging that wants to be a real country, that realizes, of course, the importance of world markets – Canadians always have in the past – but wants to ensure that it has what it needs as a country. In that sense some of the reactions with respect to the free trade area with the United States were remarkably interesting, particularly in cultural terms: the hesitations of so many Canadians with respect to that agreement, wondering whether what Canada had developed, particularly in cultural terms, was solid enough to afford the entrance into the agreement.

Now, is there a way to avoid the collision course? I suppose that for the federal ministers, who these days meet so often on these matters, it must seem like just the squaring of the circle. Is it possible to find the famous Canadian compromise? What can be offered to pacify Quebec and not provoke too strong a reaction elsewhere? Therefore, a number of people seem to be tinkering with a little more culture with respect to Quebec and more economic powers somewhere, possibly the federal government.

11:35

I submit that a great deal of what is being done at the present time – at least at the federal level; I wouldn't pass judgment here on what goes on in the provinces – is in a sense short term. When I said an attempt to pacify Quebec, I don't mean to say to satisfy Quebec. Too many politicians are realistic enough to know that you don't satisfy Quebec, that they'll always come back with requests for more, more, and always more. For the last 30 years that's always been the attitude of Quebec. But at least to pacify it short term. In other words, is it possible to avoid an Italian-style House of Commons at the next election? That's what I mean by short term. When I mean an Italian-style government of the House of Commons, I mean five major parties. That has never been known in Canada in the past, but there is a distinct possibility at the present time that there would be five major parties in the House of Commons.

At the same time, is it possible to avoid the Parti Québécois coming to power in the next election? These two elections will probably take place within a year. Possibly the federal election would come just before the provincial one. Is it possible to pacify on the one hand and not to provoke on the other and hope that there won't be five major parties in the House of Commons and that the Parti Québécois will not come to power? I'm sure that those who are involved in this must find that it is a very difficult exercise.

But, you see, as far as I'm concerned, I'm not in that sense particularly interested these days in wondering whether the distinct society clause should be put in the preamble or should be put elsewhere in the Charter. That kind of tinkering I don't think would satisfy the sort of difficulty that I just mentioned. I think that a profound transformation of the Canadian Constitution is probably impossible now; it is too late. I probably wouldn't have reacted that way in the late '60s after some momentous decisions had been taken. Possibly some opportunities were lost at that time. But the sooner we realize that beyond short-term strategies there are two countries that in fact are emerging at the present time, the easier it will be to have these two countries appear on a solid basis and have them co-

operate closely. The great lesson of our times is that countries, no matter what size they are, can prosper and flourish insofar as they belong to very large and wide economic markets. That I think is the great lesson of the last 30 years. It was delivered to us by western Europe. While we had so many difficulties in Canada to try and define broad national policies, and while we were involved in all kinds of specific fights and tensions and discussions, this idea appeared and was proven: that as long as large markets are maintained and developed, one can remain a Dane or a Dutch and prosper and develop as a nation within a large market. We look at what goes on elsewhere in the world these days, and I suppose a number of people ask themselves, "Has that lesson been learned by all kinds of other countries and people?" We'll, of course, have to wait some time before we see it.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Parizeau. I know that several of my colleagues would like to pose questions to you or make comments.

As you are no doubt well aware, our select committee is now in the 13th day of public hearings, and during the course of those hearings we've heard a broad range of opinion, everything from the advocates of a strong central government with no provincial entities in existence to the advocates of western separatism. Obviously, between those two points there's a great deal of ground. We have heard a broad range of opinion as to what Quebec's relationship should be with Alberta, other provinces, and with the federal government, and a great deal of discussion about the division of responsibilities between the orders of government. We've heard a great deal about the Charter of Rights and all the aspects of our Constitution, including aboriginal issues, and the challenge to us is quite enormous. I think your visit here today will help to focus the minds of members of the select committee, and to some extent Albertans, on the issues facing us.

I was surprised, if I may say so, this morning to read a local Member of Parliament's comments to the effect that people don't know anything about the Constitution and don't care. As I said yesterday, it reminded me of the interviewer who said to a man on the street, "What do you think about the problems of ignorance and apathy?" and the answer was, "I don't know and I don't care." At the same time, we have to be concerned, and your visit here today will help, I think, to focus more people's attention on the issues facing us as a country.

I know Nancy Betkowski had a question that she wanted to pose to you about medicare issues. I think everyone will want to ask you a question, so I'll try and get them in a respectable order. Dennis, Yolande, Nancy.

MS BETKOWSKI: M. Parizeau, je vous souhaite un bon accueil en Alberta, et je vous remercie aussi d'accepter l'invitation de notre premier ministre de vous présenter à notre comité.

I do have a question on a subject dear to our hearts, obviously, and that's the question of the Canada health care system. Quebecers, like the vast majority of Canadians, cherish the Canada health care system and support the principles upon which it's established. My question to you is: do you believe a sovereign Quebec could sustain a health care system as Quebecers enjoy today?

MR. PARIZEAU: This has been an interrogation in the minds of some people for quite some time with respect to medicare and with respect to all the major social programs that we have.

An independent Quebec: can it sustain them? The studies made by the Bélanger-Campeau commission are in that regard the most advanced that we've ever had in Quebec before, and the purpose of the exercise is this: let us lock together all the expenditures of the Quebec government at the present time plus the expenditures of the federal government and Quebec, and lock together all sources of taxes, whether they go to Quebec City or to Ottawa. What's the picture? Of course, if the picture is improved in relation to what happens at the present time, then the answer is yes, Quebec can afford all the sort of programs that are in part paid by the federal government at the present time. That was the conclusion of the Bélanger-Campeau commission, that in fact the Quebec taxpayer, assuming no economies because of overlapping – and God knows if economies are possible because of overlapping between the two governments – could maintain all expenditures as they stand now and, according to present tax rights, gather revenues, and that the situation of the taxpayers in terms of the combined deficit, shall we say, would be somewhat better than it is now in present circumstances. So the answer is yes.

As I say, we've never conducted studies as specific and as precise as that in Quebec, so until such time as people would demonstrate the contrary, I have to rely on these figures.

11:45

MS BETKOWSKI: But that assumes, as I understand your point, that it would just be a snapshot of revenue and expenditure as opposed to a share of debt in Canada. In other words, it would take a one-year slice and say, "We give this much; we need this much." It isn't in the context of the debt that we all share, I think, as Canadians.

MR. PARIZEAU: Oh, yes, yes, yes. Debt charges are included in the conclusion I just mentioned. Oh, yes, of course. There are some discussions at the present time as to whether what the Bélanger-Campeau commission introduces as debt charges are high enough. Indeed, of course. That belongs to the sort of bargaining process that is inevitable whenever you talk of sharing debt charges. But debt charges are, according to their estimates, included in.

MS BETKOWSKI: Thank you.

MR. CHAIRMAN: Dennis, and then Yolande.

MR. ANDERSON: Thank you, Mr. Chairman.

I, too, appreciate you accepting the invitation. I think it's important that Albertans understand the perspective that you come from. I found your analysis of history interesting, particularly those portions that dealt with the centralization dimensions of the federal government and the economic adjustments. You mentioned the national energy program, and I might say that much of the history that you track from a Quebec perspective can be tracked from an Alberta perspective with equal feelings about the centralization or the changes that have taken place. Indeed, in our hearings I would have to conclude that many Albertans would share some frustrations that I feel from Quebec in terms of ability to influence the direction that we need to take in this province for the betterment of our province in our nation.

One fundamental difference seems to remain. That is that the people that we've talked to in our hearings near unanimously – not unanimously but near unanimously – still feel in their heart

something for the country that we have all called Canada. You have served for many years. You said you've traveled for 30 years, and you've been in parts of it as a minister of the Crown, leader of the loyal opposition. Is there not still somewhere a piece of your heart or a piece of your soul that says we want to be part of this partnership that's Canada? Recognizing the uniqueness of your culture and the language differences, as we have differences in evolution and development, isn't there part of your soul that says we can develop this vehicle that will lead us all into that future together?

MR. PARIZEAU: Besides being a minister of the Crown for quite some time, I also was during most of the '60s economic adviser to three Quebec Premiers: Mr. Lesage, Mr. Johnson, and Mr. Bertrand. I was at innumerable federal/provincial conferences, and I was a federalist at that time, during all those years. With others we developed, under the authority of Quebec politicians who were federalists, remarkable techniques, very efficient techniques, to divest the federal government of a great deal of its room to manoeuvre. We were very efficient, to a point where it suddenly dawned on some of us, not all of us, that this thing had gone too far. It's as if a piece of paper had been torn halfway. Some Quebecers, well known, went to Ottawa to try to piece the piece of paper back with scotch tape if necessary. Mr. Trudeau, Mr. Marchand, Mr. Pelletier: the doves. Others went to Quebec City to tear the piece of paper right through. After several years, when Mr. Trudeau left politics, it looked more or less like a draw.

The real question is governments have to govern. It might be self-evident, but in Canada for the last generation it hasn't been evident that governments must govern. The question that I asked myself at that point, at that time at the end of the '60s was: what are the chances to ever find a Quebec government, of any party, that will accept allowing the federal government the powers to govern properly? My conclusion is that I can't see any of them. Mind you, over the last 20 years they've all shown that there was no way in which they would accept the federal government, let the federal government have the power to govern the country properly. Therefore, the conclusion for me was, "Well, that's it."

I often said in the past that I was in agreement with a number of the federalists who had a highly centralized idea of what Ottawa should look like. My main point of disagreement with them was where to put the capital city. If you can't have a proper government in Ottawa, well let's have a proper government in Quebec. In that sense, the sort of diagnosis that I put at the end of the '60s I haven't changed since. Everything that we've done since, as far as Quebec is concerned, under all manners of government, whether the Parti Québécois or the Liberal Party, whatever, has always been in this remarkable atmosphere where the Parti Québécois in power says, "I want for Quebec everything," and the Liberals in power say, "We want for Quebec more, more, and always more."

So you ask me that question, and I say, "Do I envisage something or keep something?" No. To all practical purposes I've become a Quebecer, not in an atmosphere of vindication – not anymore – but simply that I think we're past the point of no return.

MR. ANDERSON: Mr. Parizeau, could I respectfully suggest that your analysis is an analysis of the past. It is an analysis of a developing Canada, of a country 120-some years old, which has dealt with growing pains, as many countries do, that has had parts such as Alberta, British Columbia, and others who have

just started in the last few decades to develop their own uniqueness. Quebec has had that for some time. Do you not see at this time in our country, with these partners such as Alberta and other provinces, that there is now the potential for a government in Ottawa which will be strong in some respects, with defence and those things that hold a country together, yet allow the uniqueness of each of our provinces to develop and to reinforce one another? Isn't this a new time in Canada's history, and shouldn't we be looking at the evolution that is now taking place? Couldn't we expect some of the growing pains that you've talked about before we reach full maturity?

11:55

MR. PARIZEAU: I suspect that once Quebec is out of the way, all Canadians will probably manage, and probably in rather short order, to set up the sort of central government that they want with a proper equilibrium of regional or provincial specificity while at the same time giving to that central government the ways to operate. I am certain, however, that as long as we're there, it won't be possible.

I'll just try to give you an example here that I found in a sense rather pathetic in two lines of the Whistler press communiqué. There is a request here for a national transportation policy, and in the communiqué it is made concrete by a request that a divided highway cross Canada from Vancouver to St. John's. That is 25 years after the Trans-Canada Highway. Just imagine at the end of the 20th century a country as large geographically as Canada that is still looking for a way in which the major way to transport goods in our time, the road, should be organized nationally and how one proper trans-Canada road should be built, 25 years after starting on that road. Why hasn't it developed more? I know why. I have been at these federal/provincial conferences where every time the federal government tried to expand on this years ago, we always managed to trip the operation, with the occasional help of one or two or three provinces. It is absurd to think that at the end of the 20th century Canada is still looking for a road-building policy. The roads in the United States, the blue shields, were built by the states but financed by the federal government, to a large extent with standards established and set up by the federal government itself. It was, for all practical purposes, a federal policy and was completed years ago. This should have, I think, made other people think.

Canada, I think, needs to be a country and it will be impossible to be a real country in the sense that some Canadians ask for as long as we're there.

MR. CHAIRMAN: Thank you.
Yolande Gagnon, please.

MRS. GAGNON: Yes, it's true that most presenters have told us that they want Canada to stay together – not all but most – because they do believe that we will flourish together and that we would be diminished without each other. I'm very sorry that you don't feel that you would be diminished without us. I think this morning you have tried to convince us that we'd all be better off if Quebec separated and that this separation is inevitable. Ce que vous dites me brise le coeur, parce que le Québec c'est la patrie de mon père, et pour cela je vous demande la question suivante. Are you concerned at all about the cultural and linguistic survival of the 1 million Francophones who live outside Quebec? Please don't tell me you'd give them money; that wouldn't do them any good.

MR. PARIZEAU: Well, I'm not sure that it wouldn't do them any good, but I see what your question is; it goes much deeper than that. When you talk about a million French Canadians outside Quebec at the present time, it's awfully difficult to put them all in the same situation. The Acadians have obviously reached a sort of critical mass where their future as a community is fairly assured within the legal and political framework, I would have said of the maritimes but essentially of New Brunswick. A large number of French Canadians are in Ontario, very close to what is by far the largest city in the area, Montreal and, therefore, submitted easily to all sorts of cultural influences that are not, shall we say, as prevalent elsewhere.

French Canadians – and here again, I mean, there are quite a few of them – in the western provinces are in a different situation. We all know that. The problem here is, irrespective of the fact that Quebec goes or Quebec stays: how do these people define their future, and how can they have assurances that they as a community have a future? I know that they're very troubled by this. I can well recognize the fact that for these people of these western, French-speaking communities, the objective of Quebec sovereignty doesn't make their life any easier. All I'm saying is that it is somewhat a different question than that of the French Canadians in eastern Ontario or, of course, the Acadians. It's not quite the same thing.

MRS. GAGNON: I don't agree with you at all. With the modicum of rights which we have and a little more in the last 10 years, we are beginning to flourish. We do have French schools. People who come here from Quebec to teach in our schools love them and often want to stay because they now realize that all of Canada belongs to them and they can be at home all across Canada. Basically what I hear you saying is that you would almost write us off. We're almost dead. We're the corpse; we just haven't lain down yet. I heard someone say that, and I would interpret what you're saying as the same thing.

MR. PARIZEAU: Well, it wouldn't be, I think, a proper interpretation. I'm not at all so certain of the outcome that I'd like that kind of interpretation to be given. Of course, as far as the schools are concerned, it's not the situation of 40 years ago. That's obvious. As far as these people out west are concerned, there's been a great deal of progress.

MRS. GAGNON: Absolutely.

MR. PARIZEAU: I certainly wouldn't say the contrary. On the other hand, their rate of assimilation is very troubling not only for those who watch that but for themselves, not because as a community they want to be assimilated but because they're not very numerous, and one by one they tend to wonder what language their kids and their grandchildren eventually will speak. We know they're troubled by that also. If I were certain of the future in that respect, I'd tell you that you had the right interpretation, but no, I don't think you have. I'm not that certain. One never knows with these opposite influences on small communities. The development of a proper – and it's not only proper – an improvement, should we say, in the school situation. They've had access, for instance, to French communications, TV in particular.

12:05

MRS. GAGNON: Please don't say "they"; say "you." I'm one of them.

MR. PARIZEAU: Well, "you." Sorry.

But what about the future? I don't know.

MRS. GAGNON: Also, because I care about all minorities, what about the Anglophone minority in Quebec, the Inuit, the Indians? How would they be treated under a separate Quebec?

MR. PARIZEAU: Anglophones traditionally have had in Quebec – I wouldn't say minority rights but rights that are the expression also of the fact that they, should we say, are a majority in Canada. These rights are appreciable and traditional, and they shouldn't be touched. I think they should be considered as acquired rights. After all, these people have been there for generations. There is some discussion, mind you, to be had on the ways and means. I'm still bothered by the vagueness of the sort of legal or constitutional provisions that have to do not with schools – that's quite clear – but with social or health institutions. Often things have to be consolidated more than they have been here in that direction.

So in the wheres and the whereases and the hows there can be some discussions. I hope to have discussions on these matters in rather short order. As to the fundamental rights as they've expressed, particularly with respect to these major institutions of a community, by all means. I mean, they've got to be preserved. These people have been there a long time.

With respect to aboriginals, the situation is very different. I'm sorry this is never noticed elsewhere than in Quebec. In 1985 the National Assembly of Quebec passed a resolution granting aboriginals in Quebec the status of distinct nations, mentioning these distinct nations one by one and opening in the direction of self-government on the basis of the so-called 15 principles of 1983. That went rather far to open the door in that direction. On one basis, however, the integrity of the Quebec territory cannot be put in jeopardy: the recognition of distinct nations and of the 15 principles that exemplify what self-government can be. It's relatively old history in Quebec. The problem, of course – and I recognize it right away, and I'm not trying to be partisan, but it is a fact – is that the Parti Québécois, who passed that resolution in the House, was beaten a few months later at the polls, and the new government, the government we've had for the last few years, hasn't moved a great deal in that direction concretely. Some of the problems we have in Quebec at the present time come from this. But it is remarkable that as far as Quebec is concerned, we had these principles that we're all talking about in various provinces at the present time and at the federal level. All this gave rise to that resolution of 1985 in Quebec.

MR. CHAIRMAN: Mr. Parizeau, Barrie Chivers is next and Fred Bradley thereafter.

We have moved a long way. We've spent an hour now in discussion with you, and we're spending the time because it is important for us and for Albertans to understand your views on this matter.

Barrie next.

MR. CHIVERS: Yes. I'd like to echo that. I think it's very important for us to have an understanding and appreciation of your goals and aspirations as Leader of the Opposition in Quebec. I don't share your visions of the future, but I do appreciate the opportunity to have an understanding of your perspective of the problem.

What I want to do first is ask you how you see things evolving with Quebec out of the constitutional equation. You sort of

glossed over it. You seemed to be suggesting that it would be a simple matter for the rest of us to come to a constitutional accord which would truly reflect our national aspirations. It seems to me that what was very interesting in your analysis of the tensions that led to the present state of affairs and the relationship between Quebec and the other Canada, if I can use that terminology, is that those same factors, those same tensions, those same conflicts are going to exist to a large measure with the province of Ontario. Taking Quebec out of the equation is not going to simplify in large measure tensions that exist in terms of population, development of the economy, resources, culture, and even language and minorities. Those tensions still exist for us, and we're not going to be able to avoid having to deal with them by simply taking Quebec out of the equation.

MR. PARIZEAU: I can see what you mean. Along the way that I follow, according to my train of thought, what you just mentioned takes place once we're out or pretty close to it. I wouldn't want to be caught in that rather odd exercise where I'd try to tell you how eight provinces should tackle the issue of the ninth that happens to have 50 percent of the population. I realize the difficulty. It would be preposterous on my part to say, "Well, I think there's a way out of that one, and you should take it." I mean, you'd say, "Mind your own business," and you'd be perfectly right to say that. There's no doubt that it's going to be a major problem. But at least you'll be in a position to settle it without having Quebec in the picture, without us finding every time a way to prevent you from doing what you want to do. Nobody except yourselves must tell you what you want to do. I think you'll find that with us out of the way it will be far easier for you to come to solutions, just to solutions.

MR. CHIVERS: Well, I even question whether Quebec will be out of the way for the rest of Canada, because we can't forget or neglect to recognize the fact that Quebec has a very important relationship with Ontario. Ontario's major trading partner is, I believe, Quebec. Although constitutionally Quebec may be out of the way, so to speak, it's certainly not going to be out of the way economically, and the economic reality is something we have to realize when we're speaking of constitutional reform. You've mentioned it yourself in terms of Quebec's economic reality, the competitiveness of the economy in Quebec. We have to take into account the same factors.

12:15

MR. PARIZEAU: Yes, I think on that matter specifically you're quite right. There's no doubt, for instance, that the links between Montreal and Toronto – financial, commercial, industrial – between these two great metropolitan areas, are such that one can always wonder: will the economic factors due to that situation be such that they can weigh heavily on political decisions? I gather that's what you mean.

MR. CHIVERS: That's the point.

The final comment is just an historical footnote. I noted that you discussed the present reality that seems to be developing in Quebec with the evolution of the Bloc Québécois. I just want to remind you of the existence of the Créditistes. There is a parallel to the extent to which that parallel exists, and I don't think we should lose sight of that factor in federal/political situations.

MR. PARIZEAU: I'll come back to Ontario and Quebec and economic matters in just a minute.

With respect to your analogy with the Cr ditistes, yes, you're right; political parties come and go indeed. But I'd like to remind you that the Cr ditistes' appeal in Quebec was always very localized. It was a rural phenomenon. I mean, the Cr ditistes never had much weight in the large cities, particularly in Montreal. So the analogy . . .

MR. CHIVERS: There's a shift there.

MR. PARIZEAU: Yeah.

MR. CHIVERS: But still very much in the Francophone communities.

MR. PARIZEAU: Oh, yes.

MR. CHIVERS: Much more.

MR. PARIZEAU: Well, the rural areas were by and large Francophones.

MR. CHIVERS: Much more than the present.

MR. PARIZEAU: Indeed.

But to come back to Ontario and Quebec and their economic relationship, that is why it is so important to go through the emotional period as quickly as possible, shall we say. That there should be a remarkable emotional wave with respect to the idea of the sovereignty of Quebec in numerous areas of Canada at the present time I can understand; it's obvious. Sure, Latins in Quebec are surprised to see that Anglo-Saxons suddenly have emotions; they thought they didn't. Well, they do. But we've got to come back as early as possible to the economic reality, and the economic reality is that we shall be in a position to solve our political problems or to define our social future or our cultural future as distinct nations insofar as we recognize that all this has to be done with free circulation of capital goods, services, large markets unimpeded by protectionism or barriers or whatever. That's what I meant by the great lesson of our time.

MR. CHIVERS: I understand. Where I differ with you is that I believe we can reconcile those within the structure of the present country.

MR. CHAIRMAN: Fred Bradley, please.

MR. BRADLEY: Thank you, Mr. Chairman. Mr. Parizeau, I certainly appreciate the opportunity you've presented to us to dialogue with you and to get a better understanding of your position in terms of the future of the country.

Many Albertans have expressed to us at these hearings their wish that Quebec would stay as a part of Canada. I guess the question I would put to you and which Albertans have suggested to us has to do with the territorial integrity of Quebec. You mentioned that in response to Mrs. Yolande Gagnon in terms of the native population. But some Albertans have expressed to us that if the people of Quebec decide to leave Canada, they should do so on the basis of the pre-1912 boundaries. They have expressed to us a view that that should be a condition the government of Canada presents very forcefully and enforces. I'd like to hear from you your views on that subject. Are you prepared to accept that as a condition of Quebec independence?

MR. PARIZEAU: The answer, of course, is no. What we are trying to do is not take a part of Quebec out of Confederation but Quebec as it is, and here we have to fall back on legal and constitutional matters. Once people raise the 1912 borders, what they raise are legal considerations; therefore, the answer must be legal also. In that sense, from a legal point of view the constitutional amendments of 1871 are quite clear in that regard: one cannot change the borders of a province without acceptance by the Legislature of that province. That's a general principle. What it means in practice is that before Quebec becomes a sovereign country, the Legislature will not accept changes in the borders, and the following day it's too late; it becomes international law.

Legal considerations. Again, with respect to the 1912 Bill, it was not a gift; it was a change in the borders of Quebec, an enlargement of the borders made according to the constitutional provisions I mentioned previously. Therefore, after 1912 the borders of Quebec as defined by our laws and our Constitution are the borders of Quebec as they are today.

Thirdly – and these days, of course, it's not immaterial – the James Bay convention, signed by the Cree and the Inuit on one hand and by the federal government and the Quebec government on the other hand, states very clearly that in exchange for other provisions of the James Bay convention the Cree and the Inuit renounce all territorial rights. That's very clearly stated. Therefore, the idea as expressed, for instance, by the economist in England a month ago that should Quebec become a sovereign country the Cree would leave with two-thirds of Quebec and all the dams on it is wrong. It's wrong. You see, one cannot raise a question in legal terms and not get that answer in legal terms. It's impossible; it can't be done.

MR. BRADLEY: Well, some would also put forward the notion that in the current Constitution, if you look at legal mechanisms, there's not a legal mechanism for a province to leave the Confederation of Canada either. So we're entering new ground in terms of what the terms of Quebec independence would be. I would suggest that on the emotional side of things there'd be a very strong emotional response from the rest of Canada in these matters and logic doesn't always hold ground. So there could be an emotional question here which would add to this dimension, plus the legal mechanism not being there for a province to withdraw from the country.

On that question and on territorial integrity, I just want to ask further: if Canada does accept Quebec's right to self-determination, although that's not clear in the Canadian Constitution, are you prepared to accept the right of self-determination by citizens in Quebec to leave Quebec and remain as part of Canada; for example, perhaps the Eastern Townships or certain native populations in the province. If we accept your right to self-determination, are you prepared to accept that right for other people in Quebec who may not wish to go down the path you envision?

MR. PARIZEAU: Here again, what we are trying to do is pull the province of Quebec out of the Canadian Confederation and set it up as a country. Therefore, the idea that one could carve out places in various areas that would literally, shall we say, leave Quebec in pieces – of course not. If you tell me that emotions run in that direction among some groups, yes, of course I do. Of course I do, and one has to let some emotions run for a while. But one has to be very clear on the objective, and that is what I'm trying to be, clear on the objective. We're pulling the province of Quebec out of Confederation. We're not

carving it in small pieces, asking piece by piece whether you want to go.

12:25

MR. BRADLEY: You're asking Canadians to accept the notion that you'll carve up our country by taking Quebec out of it, but you won't give that same right to the people of Quebec.

MR. PARIZEAU: One has to remember that Canada was a federative pact. It was a federative pact, and the question we raise at the present time in Quebec is that one of the members of that pact wishes to leave. I come back to something that you were stating just a minute ago: in the pact there is no provision that specifically allows for one of the members of the pact to leave, but there are no provisions that prevent or negate the right of a member of the pact to leave. In 1980 one remarkable precedent was established in that regard: a referendum on the sovereignty of Quebec was allowed. In other words, nothing in the present constitutional pact forbids, nothing prevents, and it has been accepted that a referendum is a way out.

MR. BRADLEY: Not to belabour it, though, but perhaps we may accept – and that provision has been accepted by Canada in terms of rights to self-determination. I'm still curious as to why you would not permit the citizens within Quebec to make the same arguments. Say that perhaps parts of Quebec may wish to remain in Canada. Why would you not extend that same right to citizens within Quebec if you expect Canada to extend that right to you?

MR. PARIZEAU: Because I see Quebec as a country.

MR. CHAIRMAN: Thank you.

MR. BRADLEY: Okay. We could debate this at length.

MR. CHAIRMAN: You have asked the same question and got the same answer, I guess, Fred.

Bob Hawkesworth.

MR. HAWKESWORTH: Well, thank you, Mr. Chairman. Maybe I could just follow up somewhat on this question. There's no precedent for this, and it's unclear to me how all of this is going to unravel. Maybe you could walk us through the steps, as you see them occurring, that are going to bring this project of yours into being.

MR. PARIZEAU: Let me see. One has to say a few words, if they are not very specific, with respect to what happens or what goes on until the next election in Quebec. Yes, there is a Bill that was voted in the National Assembly to have a referendum on sovereignty by October '92. The Premier, however, has hinted on numerous occasions that he'd like nothing more than not to have it or to have that referendum on another topic, like federal offers or whatever. What happens before the next election, frankly, is not really in my hands. I'm just Leader of the Opposition there. I can have opinions, but I can't call the shots. We'll see. Assuming that nothing has been done that would bring us closer to sovereignty when the next election takes place, assuming that we take power at the next election in Quebec, then it must be clear – and it is repeated all the time – that the government then in power in Quebec has the responsibility and the mandate to move in the direction of the sovereignty of Quebec, to start on that course.

Start how? Well, there are several things to be done. Obviously, start writing up a constitution. Maybe a full constitution will take quite some time, and if it does appear that it will take quite some time, then some constitutional provisions of a temporary nature must be at hand. I mean, after all, at the point where we become a sovereign state, the laws have to get their validity from somewhere. Secondly, we've got to set up, for lack of a better word, I'd say an 'organigram' of the new government functions. We're going to get something like \$25 billion in taxes that won't be paid to the federal government and will be paid to the provincial government and a number of programs of expenditures. The shape of the new government must be designed.

Thirdly, we obviously have to embark, if things haven't started before – and I'll try everything I can to have these discussions started before – on essentially what we maintain in terms of the economic links that we have with each other. In some cases things are now better perceived as being more or less automatic. What I mean to say is that I can't see anyone in Canada anymore that feels that, shall we say, full freedom of capital should be blocked within Canada. Nobody in his right mind is going to imagine that there could be barriers between Toronto and Montreal, free flow between Montreal and New York, Toronto and New York. If that ever happened, all that would happen is that financial transactions would take three or four seconds more and commissions would be taken in New York rather than in the two cities. Some things are pretty clear.

Others will take a decision by Quebec, and there again it takes some time before everyone understands that, for instance, if Quebecers want to keep the Canadian currency, it will be for them to decide. Most politicians don't agree with me, and just about all technicians agree with me on that, politicians because often they don't want to, but technicians know this is a fact of life. If we want to have the same currency, that is for Quebec to decide. There are a number of discussions to be had, but always, always in the same process. What kind of economic links do we keep?

Then, eight or 10 months later, after the election, a referendum with a very clear and simple question, something of the kind of – and I don't give any assurances that the question will be of that kind, but something as clear as: are you in favour that Quebec becomes a sovereign country on that date? In other words, a referendum to do the thing, not just to declare intentions. Okay?

MR. HAWKESWORTH: You can correct my understanding on this if it's incorrect, but at some point before next October a decision is required under law in Quebec to be presented to the people of Quebec, either an offer from Canada or, I guess, a question similar to this one that I understand you'd be suggesting, some form of sovereignty association. Perhaps you could clarify that for me, and to what extent would a decision taken before next October by the people of Quebec be binding?

12:35

MR. PARIZEAU: That's the \$64 question. What the law, Bill 50, says at the present time is simply this: that there will be a referendum on sovereignty. It doesn't say what the question will be, how it will be presented. All it says is that there will be a referendum, and not on federal offers. There will be a referendum on sovereignty by October of 1992. In other words, if the Premier wanted to postpone the referendum on sovereignty but still keep the idea, he would have to introduce a Bill in the House saying "replace October '92 by October '93." If he

wanted to have a referendum during that time on federal offers, he probably would have to amend the Bill to say, "the referendum on sovereignty is replaced by a referendum on federal offers." In other words, if it's not a straightforward referendum on sovereignty by October '92, that law has to be amended. But he has a fairly large majority in the House at the present time, so there's no reason why technically he can't do that.

MR. HAWKESWORTH: Thank you.

MR. CHAIRMAN: Thank you very much.

Mr. Severtson.

MR. SEVERTSON: Thank you, Mr. Chairman. I've got a couple of questions. One, I'll just take the assumption that your analysis is that Quebec becomes an independent country and then use your snapshot or lock-in, when you went to income and expenses, that things wouldn't change. I would like to mention one area which is maybe small in overall terms. It's the dairy industry, where presently Quebec produces about 47 percent of the Canadian milk. In that case, if you're an independent country with a market supply management industry, Quebec dairy farmers would lose about 45 percent of their production. Another area would be in the area of civil servants. Presently, I believe around 100,000 people work for the federal government. If you became an independent country, I would presume that the majority of those jobs would be lost, so your whole economic lock-in or picture would change substantially.

MR. PARIZEAU: The lock-in we're talking about includes as employees of the Quebec government an equivalent number of those Quebecers who at the present time work for the federal government. That's already included. The assumption here is that the Quebec government will hire those who at the present time work for the federal government. It's always been the assumption, for 20 years and for obvious reasons. It doesn't mean, of course, job security in the chair. It's obvious for, shall we say, an assistant deputy minister of external affairs: he won't practise his trade in Hull if he happens to be also someone who wants to work in Quebec and stay in Quebec. But again, in the calculations it's always in there, always.

The second thing, the milk quotas. Well, yes indeed, for industrial milk – Quebec has about 48 percent of the industrial milk quota. We know that, and so many people mention that everywhere in Canada these days. "Careful with respect to the industrial milk quota." I suppose one of the first things that could be put on the negotiating table would be something of that order, saying: "Well, let's settle that thing first. You're going to have an industrial milk quota much lower." I don't think it would be a good idea to single out one thing of that order and forget the rest. Once you try to open things up like that, you don't open one issue; you open all kinds of other issues. In spite of the fact that in that field there are no quotas, Quebec is a very, very large importer of western beef. Quebec is a very, very large importer – in fact, it's probably the major importer – of Ontario fruit.

So, you know, if some people get excited and try just to pull one thing and say, "Oh, that's a good case; that one is good; we can really badger them over the head on that issue," all I can say is, you know, trade is not run that way. Just think, for instance, that part of that quota of industrial milk, that is so large in Quebec in relation to its population, goes into processed products, a lot of which are made in Quebec. Do I get from your proposition that Canada would also prevent by some ways

the importation of, say, cheese or yogurt, that sort of thing? Is that the sort of thing? If I have just one piece of advice to give you on this one, it's don't start having that sort of thing. One always knows where one starts, but the consequences can be so wide ranging that one is better, shall we say, to understand that the modern world is based on an exchange of a number of things.

MR. SEVERTSON: Why I brought that one up is that the market supply is one of them; the other issues are on a free market.

My second question – it interested me when you were answering Mr. Hawkesworth on the Canadian currency. You said that technically you could use our dollar. So technically could Canada declare that we're going to use the United States' dollar, then, since we're an independent country and so is the United States an independent country? If you're an independent Quebec, you say you can declare using the Canadian dollar, and there's no problem technically. I don't understand that.

MR. PARIZEAU: Simply this: the Canadian dollar at the present time is legal tender in Quebec. About a quarter of the money supply, and I mean bills and bank deposits, are in the hands of Quebecers and are the main way in which one settles accounts. The banking system is fully integrated, geographically speaking, and it is through the banking system that the money supply is increased or lowered. So if Quebec says that in an independent Quebec the Canadian dollar is legal tender, money still flows from the Bank of Canada through the chartered bank reserves and the money supply increases as it always has, again in the proportion that is determined by the Bank of Canada. In other words, the monetary policy of the Bank of Canada continues to apply. There can't be differences in the money supply from one province to another any more than is possible nowadays, simply because these money flows would cancel out any minute difference in interest rates that would occur. All this was at a time when we thought there might be a possibility to have regional monetary policies in Canada. The Cairncross report of 20 years ago settled that issue once and for all. All that is required is that Quebec says: The Canadian dollar was legal tender; it is still legal tender. The mechanics of the thing just unfold.

12:45

MR. SEVERTSON: I'll leave it at that.

MR. CHAIRMAN: Thank you very much, Mr. Parizeau. I think we've now spent over an hour and a half in a dialogue with you. It has been very extensive. It's been useful, I think, for us as a committee to have had this dialogue and exchange. I think it has clarified in our minds, and I'm sure to listeners who are here in the audience today and those who are listening in other ways, just what your intentions are. I don't think you leave any doubt in anyone's mind.

Having said that, without wanting to be inhospitable or ungracious to you as a guest in our province, I cannot say that we wish you well in your endeavour. Quite the contrary, because what we are talking about here is more than just tearing a piece of paper. We're talking about tearing apart a nation, a nation in which many of us, including myself, have a deep and abiding affection and love for Quebec as part of Canada. And if you for a moment assume that after the divorce things will go on just as they were before, I think you're sadly mistaken.

The debate and the dialogue which we've had today has been educational and informative for all of us, and it is a debate and dialogue which we must engage in as a nation. For those who say to put it aside, forget about it, let it rest for 10 or 20 years, I think those people who are giving us that advice are, like ostriches are allegedly presumed to do, hiding their heads in the sand.

Thank you for being here and exchanging with us your views, and I thank you for coming.

[The committee adjourned at 12:47 p.m.]

