

7:05 p.m.

Monday, September 23, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, we'd like to reconvene. I'd ask the panel members to join us.

We are into the third session today of presenters for this panel of the select committee. I'm Jim Horsman. I'm the chairman and the MLA for Medicine Hat. I'll just quickly ask my colleagues to introduce themselves, starting with Sheldon, our host in his constituency.

MR. CHUMIR: Sheldon Chumir. My thunder has been stolen. This is my constituency, and welcome to everybody here.

MS BARRETT: Pam Barrett, from Edmonton. My riding is an inner-city riding.

MR. ROSTAD: Ken Rostad, Camrose constituency.

MR. McINNIS: John McInnis. I represent Edmonton-Jasper Place, home of the world famous West Edmonton Mall.

MR. DAY: Stockwell Day, representing Red Deer-North.

MR. SEVERTSON: Gary Severtson, representing Innisfail.

MS CALAHASEN: Pearl Calahasen, representing Lesser Slave Lake.

MR. CHAIRMAN: Okay. Our first presenter is Peter Aubry. Peter appeared before the other panel on May 24. Good to have you back.

MR. AUBRY: Mr. Chairman, members of the committee, I'm here this evening as a private citizen. I'm not here to represent any special interest group; I'm here because I'm passionately in love with my country, a sincere love and a true love.

During this past summer six of us, all ordinary Albertans, held our own constitutional debate. Our objective was to discuss ways and means by which our Canada will remain one country. It was a trying committee in that we recognize the complex nature of this country. However, we also recognize that in the past the common people were never consulted in constitutional matters. I guess the best example of that is the amending formula, which was basically decided upon by the elitist. The term "elitist" is not meant as a derogatory term, but in fact politicians are elitists. This consultation is changing, and if listened to by the politicians, the ordinary Canadian perhaps has the nonpartisan solutions to the survival of this country.

On September 13 I took the time to attend Jacques Parizeau's presentation to this committee. I was distraught to witness his enthusiasm when outlining his commitment to take Quebec out of Canada. This pompous, arrogant person will tell half-truths to anyone who will listen in order to benefit himself and the hordes of *bêtes puantes* clinging to his coattails. He sincerely believes there are two gods. We as Canadians must ensure that his lust for power fails. We must ensure that the ordinary people of Quebec are aware of who will suffer if Quebec separates. Parizeau and his cronies will not suffer. The average working class Quebecois will carry the load.

I had the privilege of working in Quebec, not just in the city of Montreal but in northern Quebec, helping the illiterate young Quebecois who was so inquisitive about his country, helping that

person learn to write, reading letters from his family, as well as helping him write to his family. This person without education was the true Canadian. These young people were anxious to see the rest of their country, Canada. These are not the people we see on television. These are not the people we read about in newspapers. We read about people like Parizeau. We listen to the academics, to those who will benefit by the separation of that province from this great country.

During recent years Canadians have witnessed the creation of several new political parties who also in their lust for power have all the answers. During the two days last week when I sat as an observer in these committees, I heard about the American dream Canadianized. No one talked about the American nightmare. No one mentioned the poor or the lack of care for the poor, the mentally ill living in the sewers and the subway tunnels, or the dismal attitude toward persons with disabilities. No one mentioned that these people were human, that these people deserved the opportunity to live like every other American. They never mentioned the runaway crime and violence, the drug abuse, the failure of companies, because of lust and greed, that the taxpayers have to bail out. They have all the answers because they've never had the opportunity to govern. They never mentioned how they would address the needs of the country, the needs of those in need.

We are looking at revising our Constitution. We have an opportunity to cherry-pick worldwide. We have an opportunity to pick the best areas of constitutions worldwide and come up with the best and fairest Constitution in the world.

7:15

Here are some conclusions we arrived at during our constitutional committee this past summer. These conclusions don't necessarily reflect the feelings of all the members of our committee; a lot of them are my own. We want a unified Canada. We feel that unity will not be preserved unless major changes are made in the way the country is governed. Aboriginal issues must be settled fairly and soon, and we need a reformed Senate.

But first let me talk about tradition in this country and the cost of tradition. How much can we afford to pay for this tradition? Why do we have a Governor General? Why do we have a Lieutenant Governor? Why do we have these figureheads who are costing taxpayers millions of dollars when these dollars could be going to those in need? You will say, "Well, this is tradition." I say that these are modern times. These are times for thinking about fiscal responsibility. These are times to rid ourselves of figurehead status in this country. The Prime Minister or the Premier could handle and take the responsibility for this pomp and splendour.

The consensus is that governments need to give government back to the people. The system by which this country is governed needs a transfusion. A nation that believes changes cannot be made is a nation that is doomed. In order to achieve this change, we need two major changes and we need them quickly. Number one, we need to decrease the power of the Prime Minister and the Premier of each province with regard to appointments to the judiciary and cabinet, and I'll get to the cabinet later on. It's awesome for me to accept that any one person can have that much power, that any one person is intelligent enough, is selective enough, and has the quality of selection as much as the Prime Minister or a Premier has. Basically, it's my way or the doorway. Actually, if you think about that, that's the dinosaur thinking. That's thinking that doesn't reflect on the changes happening today in this world.

"Power" is a word we hear in this country that actually sickens me. The power this, the power that. Really, I'm the power; the people in this room are the power. I think it's time that elected people, who take on such a massive responsibility of representing the people, represent the people – and not just at election time; people want representation and accountability during the time a government is sitting.

The most important change that I feel and most of my colleagues feel is required is the elimination of party discipline. Every elected representative of any government or any party in opposition should be required to vote according to their constituents' wishes. This is true democracy. There would have to be a provision that a government is not defeated but a particular Bill goes back for a workover.

You talk about caucus. When I sat here last week, I heard everyone saying: "Caucus is great. We argue. We fight. We scream. We shout." Then all 60 or 70 or 160 of you come out of a caucus meeting and vote yea or nay. That, committee members, is not true democracy. That is not representing the people you are elected to represent during a term of office. Canadians are insisting on accountability from their elected representatives. Democracy is more than an election every four or five years. Caucus does not work anymore. It is wrong for any government to say, "If you do not like what we are doing, vote us out at the next election." The message I hear in this great country is that people want accountability, and you cannot have accountability with caucus. I challenge any of you to say otherwise.

The last point with regard to reform of government has to do with Senate reform. Anyone in this country who thinks the triple E Senate is going to be achieved is very naive. I would love to see a triple E Senate. I'm pro triple E Senate. But because of the word I used earlier, the word "power," anyone who thinks Ontario or Quebec is going to give up that power is very naive. The triple E Senate will not happen in my lifetime. Provincial governments will not let the triple E Senate happen. What we've been hearing recently from the federal government is that you will get your elected Senate. That's wonderful. What I want is an equal voice in this country from province to province, whether it's Prince Edward Island or Ontario. That to me is true democracy. To have just an elected Senate changes nothing. The power still remains in Ontario and Quebec, and that's wrong.

This province, this provincial government, has taken a very definite stand on the triple E Senate, and I'm pleased with that. I hope that continues. But one must remember that failure is not always fatal. We must continue to fight for the rights of all persons in this country.

My last comment has to do with aboriginal issues. We have listened and listened and listened for years and for decades about problems in the aboriginal communities. Governments present and past, federal and provincial, have been paying a lot of lip service to aboriginal issues. I think you realize that Canadian people more and more are insisting that these issues be removed from the hands of bureaucrats and put back in the hands of the Canadian people and their elected people. Give the aboriginal peoples the self-government they desire and deserve.

Je suis Canadien. Mon coeur saigne parce que mon Canada est en verge d'être détruit. O Canada, mon Canada, terre de nos aïeux.

Thank you.

7:25

MR. CHAIRMAN: Thank you very much, Peter, for your thoughtful presentation.

Any questions or comments? Yes, Sheldon.

MR. CHUMIR: Just briefly to ask Peter my standard question, which is so fundamental, and that is in relation to medicare and social programs. The current system is that the federal government sets minimum standards and enforces them through funding mechanisms. There has been some suggestion in some circles that the federal government should not be involved in those programs at all and these things should be done through the provinces. I was wondering whether you would give us your views on whether the federal government should be involved in that.

MR. AUBRY: I believe strongly that the federal government must be the leader in medical services. I say that because I think the federal government has a role to play which involves all Canadians. I think the federal government understands, perhaps better than we do, that there has to be a shift in moneys from institutional care to community support. I like that because I think that elected people like to see the physical structure with the cornerstone; the people who have to live with persons and help persons with disabilities understand what it is to have community support or lack of community support to help those persons. I don't know if that answered it.

MR. CHUMIR: And social programs similar?

MR. AUBRY: Same thing. I believe that the federal government, the centralist government, has to have the leading role in both medicare and social programs, but they also have to work very closely with provinces in that regard.

MR. CHAIRMAN: Thank you, Peter. I have to ask you this question, because in one area the federal government has had sole responsibility for health care, social services, and education since 1867, and that's for the aboriginal peoples of Canada. I don't think you're satisfied with the way they've carried out that responsibility from the remarks you made earlier. Why do you think that they have such a newfound, if I can use that term, ability to offer those services or to direct those services for the rest of us?

MR. AUBRY: Mr. Chairman, that's a good question. It's a question that requires a lot of thought, it's a question that requires dedication, commitment federally, and it's a question that needs to address the reasons why medicare and social services are out of control. One of the reasons is abuse of the system. How do you stop that? How do you ensure federally or provincially that the people who are in need in fact get that need? I'm having difficulty answering that, because I don't understand the relationship between, for instance, education. As I understand it, funds come from the federal government to a province for education, but is it specifically earmarked for education?

MR. CHAIRMAN: Only for postsecondary education and health care, not for education K to 12. Perhaps I shouldn't have added the educational element in there. I'm just saying if the federal government has not carried out its responsibilities adequately to one element in our society in those areas, why do

you and others that have come before us believe that they should have that knowledge and understanding of how to carry it out for the whole of the country? It's a dilemma.

MR. AUBRY: It is a dilemma.

MR. CHUMIR: They already have carried it out to a large degree through their medicare and social programs.

MS CALAHASEN: Not adequately.

MR. CHAIRMAN: Well, we could get into a debate on this issue.

MR. CHUMIR: Canadians are quite happy with medicare.

MS CALAHASEN: Not adequately on the federal scene in terms of the aboriginal people. That's one of the problems. So they're a centralist government within . . .

MR. CHAIRMAN: Okay; order please. We're going to get a dialogue going here, a debate by the members of the committee, and I think maybe that's not what we're here for.

Well, thank you very much, but this is a concern that we have to face. Thank you very much for your second presentation and for your thoughtful concern.

Clint Dunford is next. Welcome, Clint.

MR. DUNFORD: Thank you. Mr. Chairman and men and women of the committee, I believe that you have had a written submission circulated. I would propose that given the time, I might read it into the record, but I wanted to inform you by way of preamble that we did something typically Canadian. When we decided that we would want to appear in front of this group, we formed a committee. What happened then is that it was our responsibility to bring some matters forward that we on the committee felt were important for Canada and for Canadians and presented it then to the directors of the Lethbridge-West PC Constituency Association. A comment was made earlier about what happens in caucus, and the same sort of thing can happen in constituency associations, so the written submission that you have in front of you is going to confine itself, then, to those matters on which the Lethbridge-West Progressive Conservative Constituency Association were able to arrive at a relatively large consensus.

As Canadian citizens we desire to live in a nation that stretches from coast to coast without internal interruption. We believe that Canada is from British Columbia to Newfoundland, Yukon and Northwest Territories, and all parts in between. We want Quebec to remain as part of Canada. We think this is important for Canada's future, especially in the increasingly global-minded world. Yet as much as we desire for Canada to remain together, we are not prepared to sell out other regions or all principles that we believe in just to see Quebec remain a part of Canada.

Canada has been built upon diversity from its beginning. In the past we have been able to manage this diversity in our first-class nation because of it. We believe that Quebec is a distinct society within Canada and are willing to recognize that fact constitutionally. However, we believe in equal treatment for all. If the granting of distinct society status to Quebec provides special privileges that are not available to other provinces, then we have only created two classes of citizens, Quebecers and the rest of Canada. We are all Canadians. Even though different

provinces have different characteristics and needs, we all must be treated equally and have the same access to privileges and responsibilities that have been granted to another province or a particular culture. One province or culture should not be able to hold the others as constitutional hostages through vetoes.

7:35

In keeping with equality among provinces, we believe that our federal government or the Bank of Canada should have regional representation or be approved by the members of a triple E Senate.

We recognize the multicultural aspect of Canadian heritage. It is to Canada's credit that so many cultures are able to exist in such harmony within the borders of one nation. However, we question the need for the government to fund multicultural programs and to support such extensive bilingualism. We believe it is the responsibility of the individual to maintain his or her cultural heritage. The government is responsible to maintain an environment where the practice of individual cultural initiatives is protected from persecution.

We find that the federal government's excessive support of bilingualism has been one of the most divisive factors in this country, especially in western Canada. We must reassess how widespread bilingualism need be enforced, especially in areas where Francophones are a minority or nonexistent and other ethnic cultures are dominant.

It is important that all citizens be treated equally no matter what part of Canada they may be in. Therefore, national standards are needed in such areas as health and education. The provinces should, however, have a greater say in the establishment of these national standards. As well, programs should be flexible enough that each province can respond to the distinct needs and desires of those citizens that reside within its borders. As long as national standards are being met, the provinces should be able to access transfer payments that are designated for that particular service. Specific administrative tasks should not be dictated by the federal government but could reflect the diversity that does exist among provinces. This would help maintain national standards that all Canadians expect regardless of their location.

We believe that the government which is the closest to the people is the most effective and efficient. Constitutionally we believe this means that where possible the provincial government should be responsible for more areas of government; in particular, those programs that deal directly with people and provide personal services. These programs should be the responsibility of the provincial governments. In areas where the federal government must have responsibility, we believe that government workers should be kept as close to the people they serve as possible. When we remove workers from the people they serve, they lose their ability to respond in an appropriate manner to the needs of those Canadians. In keeping with the fact that we are a diverse country, it is important that the way we govern ourselves becomes more flexible.

One final recommendation involves Canada's ability to compete globally, which requires that the trade barriers within Canada be removed. This could be accomplished by the establishment of national standards within various areas of economic trade. Each province would have input to such standards and would be expected to respect them. In doing so, Canada's labour force would be more mobile, and Canadian businesses would be more efficient.

I'd like to thank you for your kind attention.

MR. CHAIRMAN: Thank you very much, Clint.  
Are there questions or comments? John.

MR. McINNIS: Mr. Dunford, the idea of equality among provinces sounds good to most of our ears, but from time to time there may be a conflict between the rights of provinces and the rights of individuals. What brings the case to my mind is when people talk about the right of Quebec to self-determination or to even secede from Canada. There are those within Quebec who don't agree with that decision, and they ask, "Well, if it's okay for Quebec to separate from Canada, why can't we separate from Quebec?" There's also the aboriginal people in the north, the Cree, who stand to lose all of their treaty rights if Quebec were to separate. I just wonder if in the discussion of equality of provinces the question of the rights of citizens came up as well, or how you might respond to that.

MR. DUNFORD: Actually, there was a fairly lively discussion on that particular point, and one of the interesting sidebars, I guess, that came out of it was Canada's position re what was happening in the Soviet Union. I'm not dealing directly with your question but again as sort of a preamble to where we went with this thing. If in fact we were supportive of not so much the Baltic states but some of the other republics within what we generally regarded as the Soviet Union, how could we then stand against what Quebec might wish? In chairing the session, the discussion regarding equality became interesting in the sense of how to keep it within a term of reference because we found so many different, not definitions necessarily, of what equality was. Most of us think we know what it means, but when we tried to articulate it and to put it into some sort of a recommendation – now what does that really mean? – I think we became extremely confused and in some cases maybe even lost.

MR. McINNIS: Perhaps one supplementary. The beginning of the submission says that you have no objection to a distinct society clause so long as all provinces are treated equally. I just wondered if that means you'd like to have a clause that says every province is distinct. Is that what you mean by that?

MR. DUNFORD: That would take our meaning a little bit far, I think. Some of our backgrounds have been in labour relations and human resources. I've personally experienced situations of desires of groups to have a particular tag. For whatever reason, it was felt important. I have the experience of not allowing that in one particular case and being sort of beaten up for it. In another case we did use it. It made no difference under the terms of a collective agreement in that particular area, but the people felt bonded. I suppose unity might be too much to ask in the Canadian context of labour relations, but certainly it helped. As an employer it helped us deal with that particular group. So I think it's in that context that we would view this. I have no objection if Newfoundlanders would want a requirement like that. I think that would be explosive, though, in light of what has gone on already – given Quebec's desire for that particular tag – for us to now start copycatting. I don't think it would be necessary, and I think it would be highly explosive.

MR. McINNIS: That's interesting.

MR. CHAIRMAN: Okay. Thank you.  
Sheldon.

MR. CHUMIR: Yes, thank you. Mr. Dunford, you state that you believe it's a "responsibility of the individual to maintain his or her cultural heritage," and you "question the need for the government to fund multicultural programs." I presume in that sense you're using the term "multicultural programs" as those which promote a specific culture as a culture as opposed to tolerance and understanding. I must say I have some sympathies with that position, and I note the Spicer report indicated that a very high preponderance of Canadians have the same view. The philosophy behind it, as I believe is expounded by Mr. Spicer, is the view that our policies should serve to bring Canadians together rather than to divide them. Would that be the fundamental basis behind your thinking?

7:45

MR. DUNFORD: It would be. A member of our group brought forward an anecdote that I thought was fascinating. It dealt with Trail, B.C. The Canada Safeway stores out there were completely bilingual; it just happened to be English and Italian. I think these sorts of things exist all over this country. The people in Trail are a relatively homogeneous group. They've been like that for a long time, and they were coexisting with that sort of arrangement. I think individuals in Trail took charge of that situation. There may have been a profit motive on the part of Canada Safeway – I'm not sure – but it just seemed to me that that epitomized the possible and was concentrating on what could be done rather than what shouldn't be done.

MR. CHUMIR: One of the standard manifestations of promotion of cultural group interests is that of establishing, say, ethnic schools: language or religious schools. Would you say that those should not be funded through public moneys as well then?

MR. DUNFORD: I don't recall us dealing specifically with that matter in developing this submission, and I suppose I ought not to attempt an answer on the part of the association. However, as Clint Dunford I would certainly respond. I think it should be an individual decision, as that portion of taxes that is taken from me for the purposes of education – they might ask me where I want them to go. If they did ask me, I'd tell them.

MR. CHUMIR: Would that be the same thing: that the portion of taxes that we're taking for culture – then each ethnic group should say, "Well, I'd like that to go to my own culture"?

MR. DUNFORD: That's where we might start to be disagreeing. I don't know; I'm not reading your mind. I guess as a generalized statement, without again trying to represent these people, I'm not sure that our tax dollars should be used for multicultural activities per se. Now, if we're talking education, I would separate that.

MR. CHAIRMAN: Okay. Thank you very much, Clint. There was one brief question. I think most of us will agree that we must dismantle interprovincial trade barriers, and your last paragraph indicates that "each province [should] have input to such standards and would be expected to respect them." The requirement and the enforcement of respecting removal of those interprovincial trade barriers isn't easy, as I'm sure you will appreciate.

MR. DUNFORD: Right.

MR. CHAIRMAN: Did you give any thought to what mechanism you might have in mind for that, ensuring that respect does occur?

MR. DUNFORD: I'm afraid not. We just threw it as a principle.

MR. CHAIRMAN: Okay. Well, that's something we'll have to wrestle with.

Thank you very much, then, for your presentation.

MR. DUNFORD: Okay. Thank you.

MR. CHAIRMAN: Next we have Jeff Nahuis. Is that the correct pronunciation?

MR. NAHUIS: That's pretty close.

I'm afraid I don't have any copies. I just took one.

MR. CHAIRMAN: Well, that's quite all right.

MS BARRETT: We'll take notes.

MR. CHAIRMAN: A complete transcript will be taken, and we'll have access to that, as will the other members of the panel who aren't with us this evening.

Please proceed, and thank you for coming.

MR. NAHUIS: Just to kind of get it open – I don't normally do this kind of thing. I guess I'm just very upset about the whole situation, this constitutional reform, just the general way the government runs and everything, and I thought I'd throw out a few ideas about the good things we've got, some of the concerns, and then some suggestions.

MR. CHAIRMAN: Well, if it's any consolation to you, Jeff, many people have come before us in exactly the same position you are tonight, so feel relaxed. So far we haven't bitten anybody that's come to the table. Please proceed.

MR. NAHUIS: Okay.

My whole talk here is basically focused on Canada as it is, and I think it's a pretty good place to live. I don't focus on any specific province. I just want to say that I like it the way it is. My travels abroad have really opened my eyes to many good things that I've seen in Canada and what it offers to its citizens. We have a good standard of living; we have quality education and health care; we have a multicultural background, I think, which really allows us to be open to lots of different ideas; we have a safe, clean country; we have a democratic society. If we want to give all that up, I think we're in for a lot of trouble, and maybe that's what Canadians need. We've had a pretty easy life, and I think we need a shake-up once in a while.

Some of what I see as current concerns and problems are: a general lack of trust in our elected officials by the public; there seems to be a lack of understanding and communication between the various regions in Canada; the distribution of power between the federal and provincial governments; federal bilingual policies; the size of our public deficit; current economic strategies; and aboriginal self-government. Of these I have, I guess, some more specific concerns. It seems to be especially emotional for myself.

I guess what really bothers me is the lack of co-operation and discussion between various levels of government and/or regions.

I just see a need to rationalize all this duplication within the various departments in governments if we hope to compete globally and maintain our social programs. These social programs are a big reason why we have such a good standard of living, a low rate of crime, an educated society.

We need to resolve interprovincial trade barriers before we get swallowed up by the U.S. I think they realize what a good deal they've got, and if we don't start turning around our shop here – you can see in Ontario that we're already losing industries to the U.S. because of a more favourable tax regime. Our level of taxation is far too high, and I feel it's a function of our level of debt.

I also have a big problem with the level of trust in our elected officials. I find it very difficult to determine what our national leaders and provincial leaders stand for. It's more like a function of the latest poll surveys: what are hidden agendas? There don't seem to be any ethics or moral standards in politics. It's basically let's just stay in as long as we can and let's just take it to the people; let's soak them for what we can. There just don't seem to be any new ideas from the politicians. It's great that you're looking to us for ideas, but I just don't see any new ideas coming out of the existing leadership. I think that's probably one of the reasons why these little regional parties are doing well. At least they have the policy to try and present their ideas and stand for them. Our leaders show an unwillingness to admit to mistakes. All this, I feel, is poor leadership. It's all a kind of media campaign, I think.

I have a problem with the limited input allowed by the general public in our major political decisions, again provincially and federally. Accessibility to public information is poor at times. I think our province is not exactly at the forefront of that. I think we need greater accountability in our elected officials. They should be liable for past decisions, even if they are no longer elected. I think we have very loose financial standards. People are allowed to let mistakes slide. I think we need some kind of measure of industry accountability in these financial mistakes. I feel that elected officials who do not exercise any power – for example, backbenchers – are overpaid. If they're not going to make decisions, what's the point of being there?

I think that any elected official should be allowed to speak freely in public without fear of retaliation by his party. I guess that's one advantage the States has. Individuals are allowed to speak, whereas here it's follow the party line, and if not you get booted out.

I find patronage disgusting. I guess we don't seem to be very subtle about the way we do it.

7:55

Bilingualism. I guess I don't have strong points of view. I think we should use common sense. It's beneficial in international trade, but I guess it's a wherever the people want it type thing.

As my last major concern, basically I see the country deteriorating before my eyes with the rising public debt and government debts. Our social programs and other services are deteriorating; the general standard of living is deteriorating. I think this is going to lead to increased crime. I think we're going to see more class distinctions occurring here, and that basically all goes against what Canada stands for, I think. I realize all these programs are expensive, but I think we need to take this into consideration when we're maintaining our country.

I have some proposals and suggestions that I just want to throw out. I guess I don't have a lot of backup information or anything to add, but I feel that for efficiency's sake we should be

realigning all the provinces into regions, areas which have common interests – business, culture, et cetera – so that they can each be allowed to maintain whatever special interests they have. I can see an Atlantic region: Nova Scotia, New Brunswick, Newfoundland, P.E.I.; a region for Quebec; Ontario; and a western region which includes Manitoba, Saskatchewan, and Alberta. I see B.C. being separate, and I see the northern region being a separate entity as well but included, not separate. I also feel that our native peoples, the aboriginal natives, somehow need to be included so that their interests can be looked after.

I would like see to a rationalization of all our social services. For a lot of the benefits like health care, education, grants, welfare, I think we need a two-tiered system, one that will provide basic benefits to our low-income earners, but also for the high-income I think we can live with higher minimum service charges and certain exclusions. I guess I'm in this higher income bracket, and I don't have a problem. For the overall general well-being of our country and to kind of keep Canada as it is, I think we need to maintain some kind of equality between peoples, and basic services are one of the reasons why we're such a good place to live.

Education and health care. I can see that the provinces maybe look after basic health care, senior housing, senior health care, primary and secondary education, but on a national level I think we should be looking at creating specialized health care areas, postsecondary institutions near large population centres, from points of efficiency. I don't think every province needs to have a university. I don't think every province needs to have a hospital that does heart surgery. It's just a waste of money.

Unemployment. I still feel that's too easy to get on. I think we need to co-ordinate more retraining associated with unemployment so that if you're going to get unemployment, you get involved in some retraining. Just some way to make it more difficult, because I think we're losing our shirt on it. If we look at where our federal funding goes, I think unemployment is a big factor, as well as interest and debt.

Another suggestion is involvement of the general public in government decisions. I personally plan to make it a mandate to put my MP or MLA on the line to make them more accountable. I'm going to make sure they know that I'm not going to sit by and let them get away with whatever. I'd like to see major government grants and our policy decisions subject to more public scrutiny and a possible vote. For example, if we're looking at more than \$10 million or \$50 million – that's just a hypothetical number – I think the public has a right to be involved in the decision, especially if it has environmental implications with the people in that area. It really bothers me that somebody sitting in a nice warm house over here is screwing up somebody's life in a remote area of the province. I just don't think that's right.

I'd like to see greater accountability taken by the electorate. They should be allowed to impeach their elected representatives and the government in power. I don't believe in waiting five years. If we think it's not good, and if they don't have the balls to make decisions, then I think we should be allowed to take them out. I also think that elected officials should be allowed to speak their minds and a greater number of free votes without forcing votes of nonconfidence situations.

I also would like to see everybody promote greater understanding between regions of the country. I think mediums like the CBC or Access Network or any other medium should promote regional information concerns and present them to the

public for their information. I think we should focus more on Canadian history. I think we need to promote more patriotism. I think people are just taking for granted what they've got here, and they should be proud of it.

I think there should be incentives made to travel within Canada. We should tax international travel for pleasure, just so that more people will see their country. There are lots of things to see and do, and there are a lot of interesting people here.

As far as aboriginal self-government, I think we should allow the aboriginal peoples to live their own lives. I don't think we should be imposing our life-styles on them. I think it's screwing up their lives pretty badly.

In closing, I guess I just want to say that Canada's a great place to live. I just want to thank you for the opportunity to speak, and probably from today on I might get more involved in whatever.

MR. CHAIRMAN: Thank you, Jeff.

Are there questions or comments? Yes, Stock.

MR. DAY: Thanks, Mr. Chairman. A lot of interesting thoughts there, Jeff. We're trying to sift through a lot of these thoughts and suggestions. As you can imagine, on any one issue we could get three or four different positions.

You talked about, in terms of education, that you feel the province should control elementary and secondary and that possibly postsecondary would be an area of federal jurisdiction. You went on to say that not every province should have a university or necessarily needs a university. I guess you're thinking about the cost involved, et cetera.

MR. NAHUIS: What I'm thinking there is specialized research, industrial research and that; just special areas that we may want to focus on, communications or whatever. I guess provinces could have postsecondary education with basic general studies.

MR. DAY: So it would be more the areas of specialized – and that's what you're referring to in health care also.

MR. NAHUIS: Uh huh.

MR. DAY: Okay, that clarifies it a bit for me. By the way, in terms of getting involved in the process – you talk about the public being involved in grant decisions and things like that – we'd encourage you to be involved in the whole Toward 2000 initiative, which is out now. It's in the public and it's to get that very thing, your input on economic policy. It would be a wide-open process for you, so I look forward to your input there.

MR. NAHUIS: Is that already being advertised in local newspapers and that?

MR. DAY: Yes. Some of that is out already.

In the area of impeachment – that always raises the interest of politicians – a very common scenario when there are three candidates running, three parties, would be, let's say, the winner getting 48 percent of the vote and let's say, and this is hypothetical, the other two parties each getting 51. No; I need help with my math here.

MR. McINNIS: Divide 52 by 2.

MR. SEVERTSON: Twenty-six percent each.

MR. DAY: See what I mean? We got eight different answers to that math question. Twenty-six percent each, okay? So the winner gets 48; the other two get 26 percent each. The next day, theoretically you could go to the other two camps and say sign a petition and he's out or she's out. What would be the process of impeaching someone? What percentage of disgruntled voters would you have to get where it wouldn't just be people voting because that guy or that lady isn't in their party? How do you do it?

MR. NAHUIS: Well, I don't think you can gang up on somebody like that, but I think you should get a minimum number of people, depending on the size of riding. As an arbitrary number, 50,000 – I don't know.

MR. DAY: Let's say percentage-wise. What would be fair?

MR. NAHUIS: I guess it should also depend on the number of people who voted in that riding, like the percentage turnout and that. I don't know. It's probably going to have to be some kind of a formula.

8-05

MR. DAY: Okay. That's an interesting thought. I hadn't considered that. Maybe phone a person's mother and ask them how to do it.

I wondered if you had any suggestions, guidelines, on what percentage . . .

MR. NAHUIS: No.

MR. DAY: Okay. Thanks.

MR. CHAIRMAN: Just as a follow-up on that, half jokingly I suggested that if you were going to bring in impeachment or recall, only those people who voted in the last election should be entitled to participate in that process. When we get to an election and only 40 percent of the people vote and 60 percent of the people stay at home, or even more than that in municipal elections, it strikes me – and I'm only half serious about this – that if that process were introduced at some time, maybe just those people who actually took the time to exercise their franchise should be entitled to have a say in whether or not the person is carrying out their responsibilities. That would be hard to work, but I just wondered if I could get your general reaction to that idea.

MR. NAHUIS: Well, I think that's the fair thing to do, because you could get some people ganging up on somebody, and I don't think that's fair either. I think, just on the general idea, there has to be kind of a period where the person has to be allowed to show his – I guess an initiation period or probation period or whatever you want to call it. I guess there are a lot of ideas you could throw out on the table.

MR. CHAIRMAN: Well, it was in place once in Alberta, just as an aside. In 1935 the Social Credit government was elected. They brought in a recall provision. It was a by-election in which Premier Aberhart was elected. Within a year a petition was brought for recall, and as they approached the percentage necessary for recall, they recalled the Legislature and repealed the Bill in Alberta. That's a little historical background. An interesting point, though.

Other comments? Yes, Pearl.

MS CALAHASEN: You said that people in warm houses shouldn't have to decide what's going to happen in remote communities regarding their life-style. I come from a remote community. One of the most devastating parts of coming from a remote community is not having a job, people being on welfare. I think people in the north are sick and tired of being on welfare, so as northerners we welcome things like economic development which are going to make our lives better. We feel that there could be a mix of environmental control and environmental legislation which will help us be able to make sure that there are regulations and guidelines in place and yet provide us with jobs, because poverty is no way to go. We happen to have a lot of poverty in the north because there are no jobs. There are things happening in the cities, and it's easy for people in the cities to say, "You shouldn't do any development in the north." We strongly disagree with that.

MR. NAHUIS: That's the way I feel. In any decisions that are made as far as spending money creating new industries, people should be allowed . . . Because too many times I see in the long run environmental damage and disrupted life-styles of families created as a result of the capitalist coming in and making a buck. That's where I'm coming from. I don't want to see anybody living on the poverty line. I can sympathize with your point of view. I grew up in a small town too, but I guess I'm a bit of an environmentalist too.

MS CALAHASEN: I think we are all environmentalists, but I think there can be a marrying of the two. I don't think people have to live in poverty, nor should people be deciding what should be happening with their lives from a perspective of total environmentalism.

MR. CHAIRMAN: Thank you very much.  
Yes, Sheldon.

MR. CHUMIR: Thank you, Jim.

Congratulations, Jeff, on providing a great balance, at least attractive to myself, between sensitivity towards our social programs and the benefits of them on the one hand and, on the other hand, hardheaded realism for some effective management and tightening the belt in some areas. I thought that was excellent.

One of the seminal issues facing the nation relates to the balance of powers between the federal government – the central government – and the provinces, particularly with respect to medicare and social services. At the present time the federal government sets minimum standards re both of those and some level of funding. Some argue that the federal government should be out of that, that it's better to have it just within the provinces. Let them get together or whatever and set the standards, and let's get the federal government out of there. I'd appreciate your views with respect to that issue, as to whether you feel that there should be a role for the federal government or that it should be provincial.

MR. NAHUIS: I guess I don't see much activity on that front. I see Alberta sitting here and Quebec sitting there, and everybody is kind of cutting up their piece of the pie, but nobody seems to be willing to work together. That's my impression.

MR. CHUMIR: But who do you feel should have the jurisdiction? Do you favour the federal government being involved in setting minimum national standards in respect to medicare and



social services, or do you want the federal government out of there?

MR. NAHUIS: I actually started trying to make a list of things that I think the provincial government should look after and the federal. I kind of gave up because I thought I wouldn't have enough time.

MR. CHUMIR: How about this one? Could we have a view? If not, it's fine if you don't.

MR. NAHUIS: You're talking about health?

MR. CHUMIR: Medicare and social services now have minimum national standards established from one end of the country to the other. The argument is that if they are needed, that's the place they should be established so that people know what it is to be Canadian in respect of those standards. The other view is: no, it's too central; this is provincial jurisdiction, and the provinces can come up with some form of co-ordination and minimum standards themselves. It's a reflection of the vision of the nation.

MR. NAHUIS: I guess that's a tough question, because speaking as a Canadian, I think you'd like everybody to have the same kind of benefits and that. But if you're talking as an Albertan or whatever, well, you want certain things that are important to you and you don't care about the other people. I guess that's a tough one to call.

MR. CHUMIR: That's fine. Thanks.

MR. CHAIRMAN: Thank you very much, Jeff.

MR. NAHUIS: I just want to say that I hope I didn't sound like I was complaining too much.

MR. CHAIRMAN: No. Well, listen; politicians have been taking it in the ear, and that's good. We need to, and we hear it all the time.

There's an interesting article I read not so long ago in *Maclean's* magazine which said that when you look around and you examine individual politicians, sure, there are some bad apples, and there are going to be. And backbenchers, as you mention: it used to be a part-time job, but now, because of the demands that are being placed on MLAs by their constituents for services, it's a full-time job. It's become that way whether the House is in session or whether we're back in our constituencies. I know that I've kept track of my time, and my average work week is 72 hours. I don't know . . . Pearl is not in the cabinet. What's your work week?

MS CALAHASEN: It's seven days a week, 14 hours a day.

MR. CHAIRMAN: In opposition: Pam?

MS BARRETT: It depends. It's worse when the House sits. It's around 70, 75 hours when the House sits and down to about 60 when it doesn't sit.

MR. CHAIRMAN: That may surprise you, Jeff, but that's really what happens. We work very hard, and most of my colleagues in my 17 years in the Legislature have been honest, hardworking people who have gone in there to serve. Sure, there have been

a few bad apples. We ain't perfect, folks, because we're human too.

Thank you very much.

MR. NAHUIS: Okay. Thanks.

MR. CHAIRMAN: Is Stephen Harding in the audience, please? Yes, Stephen.

8:15

MR. HARDING: Good evening.

The compromise that ended 114 years of having our Constitution in British custody was made possible by the goodwill of nine of the 10 provincial Premiers and the Prime Minister. In the process every part of the patriation package was improved. The new amending formula requires the approval of not only the federal Parliament but the Legislatures representing at least two-thirds of provinces with half Canada's population. The newly revised Charter of Rights will allow provinces to opt out where amendments touch their jurisdiction, but they will not be entitled to receive compensatory federal funds. That may sound contradictory, but what it means is that Ottawa can never be placed in the position of financing the cost of Quebec separation.

The bargaining that led up to last week's happy denouement . . . Obviously this is an old quote.

. . . helped remind Canadians of René Lévesque's unswerving determination to break up this country . . . It was Peter Lougheed, describing the compromise that led to the agreement as 'the Canadian way to do things,' who set the more appropriate concluding note for the precedent-shattering conference. This was statesmanship at its finest, with very different men representing very different regions caught up in the notion that Canada should gain its full independence at last. To bring it about, they willingly subverted their more selfish political impulses for the national good.

Thus wrote Peter C. Newman in *Maclean's* magazine a decade ago.

Let us never accept the notion that our Constitution is a second-rate document. On the contrary, we should recognize the wisdom and power it contains. Now that it's ours and has weathered the storms of the past 10 years, we should at last begin to understand why it is important. Simply put, a Constitution protects the people from the government. As the supreme law of the land, it eliminates unjust or unreasonable laws which violate that highest law. The fact that the separatist Premier of one province refused to sign the Constitution has no bearing on its merits.

One could easily foresee the divisiveness of such a refusal on the future leaders of the country. Lévesque was no fool. He wanted to destroy Canada, and this refusal was just another move in his lifelong game. It is sad indeed that this transparent strategy has so stymied the current crop of provincial and federal leaders. To attempt to drastically change the Constitution simply to accommodate the desires of political leaders of the one dissenting province is madness. Either the people of this country, including the people of Quebec, accept the provisions of the Constitution as a sound basis on which to judge all other laws or they don't. The matter should not be open to negotiation or horsetrading or manipulation from behind closed doors.

As an example of how perverted this debate has become, one may scrutinize the recently publicized comments of the Premier of Ontario, who is prepared to look favourably on new federal initiatives in the constitutional area but only if Ottawa provides



generous financial support for Ontario's lagging economy. That's what one would expect of a pimp, not of a Premier.

Politicians had better start listening to the people they are supposed to be representing. We didn't like Meech Lake. We didn't like the underhanded skulduggery. We don't like very many of our current Legislatures and we trust even fewer. We the people have never said that the Constitution is broke and we wish the politicians would stop trying to fix it. Like many half-witted mechanics, they seem capable enough to take it apart but are unequal to the task of putting it back together. It is not at all obvious why the Constitution needs changing. The people of Quebec have never been asked what they like or don't like about it, yet our leaders have gone to incredible lengths to bring about changes in order to satisfy the Quebecois.

Before we continue with our tinkering, let's find out where the problems are. Let us ask the people of Canada – all the people – to evaluate the Constitution article by article, line by line. I suspect they would have no quarrel with the present document. It is more probable that politicians find it convenient to feign outrage in order to bolster personal fortunes and deflect attention away from other, more real problems. If the people of Quebec and the people of the rest of the country honestly have divergent views about what the fundamental law of the land should say, then the two groups are destined to go their separate ways. For the moment we must find out what the people think. Let's ask them.

MR. CHAIRMAN: Thank you, Stephen.

While we're in the particular process of asking, we're receiving some very interesting ideas. Of course, tomorrow we will be hearing from the federal government on what they think they want to ask the Canadian people, and the debate and discussions will go on over a period of months. Perhaps we will end up going to a line by line examination of the Constitution.

MR. HARDING: It really would benefit us all. I don't think much is gained by articles that report, for example, as in the *Calgary Herald* of August 28, that the "Premiers back public participation," yet these same Premiers not too long ago were ready to change the Constitution without public participation.

There was another article recently in the *Herald* on August 24 which indicated, "Getty for native autonomy in Constitution." Once again, Don Getty did not have the authority or the agreement of the people of Alberta to say that. When he talks on provincial matters, that's fine. We've elected him; he's our representative, our Premier. But when we talk about federal powers and the Constitution, it goes way beyond Don Getty's authority to speak for Alberta unless he has first found out what Albertans want.

MR. CHAIRMAN: Well, if you want to take a look at that particular article, you will see that he said providing it is defined.

MR. HARDING: By whom?

MR. CHAIRMAN: In the process of discussions. Obviously, the process we're into now is considerably different. But the process that was used in Meech Lake was exactly the process that was used in arriving at the patriation of the Constitution in the article you quoted from in the opening of your paper.

MR. HARDING: You're absolutely correct, and if you'll recall, when there was an impasse reached at that time and the 11 first

ministers could not agree, the federal government's position was, "All right, let's take it to a referendum and see what the people of Canada think." The Premiers backed down. Then in large measure what the Prime Minister and the people who agreed with him wanted they got, because the other Premiers knew that in a referendum the people of Canada would overwhelmingly support Trudeau's big deal, which was the Charter of Rights.

MR. CHAIRMAN: Well, you may have a slightly different version of that, and I'm not going to get into a quarrel with you. But there was the decision of the Supreme Court of Canada on the Trudeau patriation proposal which changed the course of action and brought the deal together. That was the deciding factor on the part of all the governments at the table in 1981, and I was there at that conference that brought the compromise. The eight Premiers dissenting from the Trudeau proposal went to the Supreme Court of Canada and obtained a judgment which was sufficient to bring about the compromise. There wasn't a referendum or even the threat of a referendum which brought about the compromise.

In any event, that process which was used in 1981 was attempted again the first time there was an opportunity to use the new amending formula in the Meech Lake process, and clearly it failed. So now we're on to a new system of discussing these issues with Canadians. Your view, I think, is that we should wait out Quebec.

MR. HARDING: Not at all. My view is that before we amend the Constitution, we should find out what the people of Canada think needs amending in the Constitution. I have an example for you that will suggest the importance of having the people approve changes. That would be article 4 of the Constitution, which requires that the Parliament of Canada hold elections five years after it's been elected so that they not go longer than five years. Theoretically, if the 11 first ministers can agree to change the Constitution without referendum, then those first ministers could agree to eliminate article 4 from the Constitution, thereby eliminating forever the legal requirement to have another election, thereby keeping themselves in power forever.

MR. CHAIRMAN: Well, it's not that easy. It has to pass through every Legislature. It's not just the Premiers signing a piece of paper that brings about an amendment to a Constitution. I can hardly imagine the government wanting to go to the people again, having proposed an elimination of the election process. The Legislatures have to approve anything the Premiers and the Prime Minister might agree to. Of course, it was the Legislatures and the failure of the Legislatures in two provinces to ratify Meech Lake that brought about an end to it. So it's not as simple as just the Premiers signing their names. The Legislatures must indeed endorse that action. And quite frankly, in my perspective, nobody in their right mind would go into a Legislature and vote in favour of a proposal such as the one you just suggested might occur.

8:25

MR. HARDING: I never suggested that all politicians in this country are in their right minds.

MR. CHAIRMAN: Well, that's an interesting point. I'm just suggesting to you that there's never been any history of that type of misbehaviour on the part of Legislatures in this country that I'm aware of.

MR. HARDING: In this country, absolutely. We have a fine parliamentary tradition that we should be proud of. But there are examples in other countries. I think we would do well to ensure that it could never happen here.

MR. CHAIRMAN: Okay. Well, thank you very much.  
Oh, Gary. Sorry.

MR. SEVERTSON: Thank you, Mr. Chairman. Reading your article and listening to you, you figure people want the Constitution to stay the way it is.

MR. HARDING: No, no. I say I think that before we make changes, we should find out if the people want them. I don't know what the people want and neither do you, because we've never asked them.

MR. SEVERTSON: Okay. What I was going to get to is the triple E Senate concept. We had a committee that went around the province. It's been passed, I think, in a motion in the House twice and agreed to by all parties. Overwhelming support in Alberta for triple E has been documented a number of times.

MR. HARDING: Fair enough. However, the overwhelming support came from Gallup polls and the like, not from a referendum.

MR. SEVERTSON: Not from a referendum, no.

MR. HARDING: Let's face it, if we ran this country on public opinion polls, the government would be changing every six months.

MR. SEVERTSON: I didn't say public opinion polls. From individual members who hear from their own people directly.

MR. HARDING: But when you suggest overwhelming public support, what is your justification for saying that?

MR. SEVERTSON: Well, in my case I put a questionnaire to every household in my constituency to mail back. I think it was something like 85 percent. I think a number throughout the province did the same type of thing and got the same type of results.

MR. HARDING: That's excellent, that you're attempting in a small way to find out what your electors want, but what was the percentage returned? In terms of total number of voters in your riding, what percentage returned your questionnaire?

MR. SEVERTSON: I couldn't tell you right now. I'd like to take it in percentage of the amount that voted; it would make it more accurate. I have about 4,000 people who turn out to vote out of 12,000.

MR. CHAIRMAN: Well, thank you very much.

We did have an opportunity, of course, of testing a senatorial election for the first time. The voter turnout across the province in that particular case at the time of a municipal general election was 40 percent. Is that a sufficient endorsement of the Senate proposal? I don't know. In any event, you've given us some interesting ideas, and I appreciate you coming forward. Thank you.

MR. HARDING: Thank you.

MR. CHAIRMAN: The next is Roseanne Ziff. Did I . . . Sorry.

MS ZIFF: How about starting all over again. Robyn.

MR. CHAIRMAN: Robyn. I'm sorry.

MS ZIFF: That's all right.

MR. CHAIRMAN: I can't read my secretary's writing.

MS ZIFF: It's not the first time, believe me, and I'm sure it won't be the last.

MR. CHAIRMAN: It looks like an "s" here the way the "b" is printed.

MS ZIFF: No problem.

I'm representing the Sierra Club of Western Canada, Alberta Group tonight. The Sierra Club is an international conservation group that was established in the western United States in 1892. It is the oldest conservation organization in the world. In Alberta the group has been active since 1972 and has as its mandate the protection and enjoyment of the wild places of the earth. Within this mandate the Alberta group has recently focused its efforts in two areas: public education on environmental issues and the use of the judicial system to enforce government environmental legislation. We wish to restrict our comments to the question of constitutional jurisdiction over the environment.

At the time of Confederation, jurisdiction over the environment was not clearly established. Specific control was given to the federal government over matters such as fisheries and navigation, while the provinces retained control over the natural resources within their boundaries. This lack of specific jurisdiction over environmental matters has caused increasing federal/provincial rancor.

Twenty-five years ago the problems of ozone depletion, acid rain, and global warming were virtually unheard of. As scientific knowledge increases, we have become more aware of the incredible interrelatedness of the elements that make up our environment. Air and water are fugacious. The alteration or contamination of one can affect the other and, as well, the health of soils and plant and animal life.

Because environmental and economic concerns are so closely entwined, political jostling over the ambit of federal and provincial jurisdiction has resulted. The Brundtland commission on the environment and the economy made it very clear that there is little time left. A major change in the way we think, the way we live, and the way we carry on business must occur, and it must occur in the next few years. There is no time for jockeying over jurisdiction. Poll after poll makes it clear that Canadians are looking to the government for leadership to find a way to a sustainable future to ensure there is a future. The public and, in many cases, industry have outstripped government in recognizing the need for immediate change and action.

To ensure a sustainable future awaits us, there must be an environmental bill of rights and access to information. This bill of rights could be separate from the present Charter of Rights or contained within it. It would guarantee to every Canadian clean air and water, healthy soils, the preservation of representative ecoregions in their natural state, and the maintenance of

biodiversity. With such a bill of rights, every Canadian is in a position to monitor our progress toward a sustainable future.

In conjunction with such rights, every province would have to enact access-to-information legislation. For the population to lead the way, guaranteed access to information is essential. Without such legislation the utility of a bill of rights is questionable. Access to information in an environmental bill of rights gives the people of Canada both knowledge and power. With both, Canadians are able to chart their course toward a sustainable future. Without them, jurisdictional bickering will continue, with a resulting possible forfeiture or neglect of the environment. By the time jurisdictional concerns are dealt with, it quite simply may be too late for our political system to handle the problem.

MR. CHAIRMAN: Thank you very much.  
Questions? Pam.

MS BARRETT: I wondered if Sierra western had looked at any specific constitutional changes to ensure . . . I don't know if you know that what you're suggesting – which, by the way, is really good stuff – would not have to automatically mean any constitutional changes. What you are really giving us a directive for is legislation that can be passed at both provincial and federal levels. Are you concerned that there should be any embodiment of this direction within the Constitution, or would you like to see, for example, the jurisdiction between federal and provincial well defined in the Constitution?

MS ZIFF: I believe the answer to that would probably be both in the sense that . . . I can't take credit for writing the article, because I didn't. I'm just here tonight reading it for someone who wrote it much better than I could have done. However, my understanding of the position we have taken with this issue is that the Constitution should guarantee that the federal government is responsible or mandate that the federal government is responsible for all issues that are cross-provincial. Also, each province itself would have to provide, under federal legislation, access to information for all Canadians who wish it.

MS BARRETT: Actually, now that I think about it, you're right. We could interpret it that way. Yeah. Great.

MR. CHAIRMAN: Stock, and then John McInnis.

MR. DAY: I think John was first, actually.

MR. CHAIRMAN: Oh, sorry.

MR. McINNIS: Go ahead.

MR. DAY: Okay. In granting the federal government exclusive jurisdiction in areas of environmental protection, what would a province like Alberta do in the case where, for instance, there are certain standards to do with effluent, be it into the air, into the water? As the case is now, for instance, certain operations, let's call it, are allowed to operate in Ontario at certain standards which we would never allow here, and the federal government is accepting of that. If the federal government had exclusive jurisdiction right now, these businesses that we are enforcing stricter standards on here in Alberta would come to us and laugh in our face and say: "No way. If they can have this type of mill and these types of standards in Hamilton, you can't force us to have standards here in Alberta." So how

would that work where one province might want to attain even higher standards but the federal government, having exclusive jurisdiction, has a lower standard?

&35

MS ZIFF: I can see your point, and I can also see that there are problems that could arise from that. There are some provinces that have been much more proactive in these areas than other provinces have been. I also would have to say that I'm not certain that we have delved into that issue. In any of the discussions I have been involved in, I don't think there has been any kind of stand or mandate within the group that has been taken as a group, and since I'm representing them, I don't want to get involved in what I personally would like to see.

MR. DAY: Sure; okay. I appreciate that. Thanks.

MR. CHAIRMAN: Yes, John.

MR. McINNIS: As I read the submission, I don't see a desire to put the jurisdiction at one level or the other; I see a desire to empower citizens with information and with legal rights that they can take into the courts to protect their right to clear air, pure water, and unpolluted soils, wildlife, and all the rest of it. I support that, I think, because in the absence of that it's too easy for politicians to talk green on one side and do things in a detailed way day in, day out that have the opposite effect. I guess one thing I've learned in my two years in politics is that in government there are a lot of detailed day-to-day decisions that are made by elected people, probably more than I would have thought.

In your brief you talk about the two options, putting the Bill of Rights in the Constitution or in some other statute. Does Sierra Club have a preference between those two models?

MS ZIFF: I don't think so; I think they'd like to see something in the Bill of Rights guaranteeing to every Canadian the right to the items that were mentioned, such as clean air and clean water. I think the main point is that there be some types of legislation and the jurisdictional problems be settled so that Albertans and all Canadians have the power to take care of themselves or look after themselves, which would come from resulting legislation and the ability to enact on that with the freedom of information.

MR. CHAIRMAN: Thank you very much for your presentation on behalf of your organization.

Just jokingly, does that right to clean air include smokers? [laughter]

MS ZIFF: I think I'll leave.

MR. CHAIRMAN: Well, that's fine.

Next is Joe Babineau, but just before I call on Joe, two individuals have asked to make brief presentations this evening, and as chairman I think I'm going to agree, providing they both keep their presentations rather brief because we have had a long day. We had asked that people who wanted to make presentations let us know by the end of July, and there may be people who have been curtailed by that deadline, but on the other hand, I don't want to make it appear that we're not willing to hear people who come forward. So Maureen Dawson and Stephen Kahn will also be coming forward after Mr. Babineau, and we'll give them some of our time, recognizing that we started this

morning at 9 o'clock and would like to conclude at 9 if at all possible.

Yes, Joe.

MR. BABINEAU: I'm here.

MR. CHAIRMAN: Good.

MR. BABINEAU: There are no guns in that briefcase, in case anybody's worried.

My name is Joe Babineau. I'm here to speak on behalf of Canadian Tax-Payers United, and if you people are ready, I'll begin.

MR. CHAIRMAN: Certainly. By all means.

MR. BABINEAU: This may not be a perfect presentation; we only finished it today, and the lady who did the typing made a number of errors. We have not had a chance to edit it; however, I will do the best I can.

My name is Joseph Babineau. I am a Canadian by birth and a Calgarian by choice. I am a member of Canadian Tax-Payers United, and I strongly believe in the principles of true democracy, free enterprise, justice, equality, civil rights, freedom, and dignity for one and all. I believe that what I am about to say will express not only the true sentiments of most Albertans but also the true sentiments of the majority of Canadians across this great country, Canada.

The government of Canada would have Canadians falsely believe there is a constitutional crisis in this country and that the Constitution of Canada, the British North America Act 1867, is to blame for all our ills and woes and the cause of all our problems. They argue that the Constitution of Canada must be reformed at once to save the unity of the country and protect its people from impending disasters.

There is no substance, justification, accuracy, or legitimacy to any of these allegations. It is our contention that not only does the Constitution of Canada provide the necessary elements for federal/provincial accord, fair and just government, with all the requirements for a truly democratic system, but also it is without doubt one of the finest, most distinguished constitutions of any in the world. Unfortunately, it's also one of the most violated, abused, dishonoured, and manipulated constitutions of any in the world. Our observations, research, and studies of the matter show that for the past 100 years or more governments of Canada have intentionally and continually deceived Canadians and conspired to deny and deprive them of the justice, equality, civil rights, freedom, and dignity that is rightfully theirs and provided for in the Constitution of Canada, the British North America Act 1867.

Furthermore, the corrupt, unconstitutional acts, practices, and policies of the government of Canada know no boundaries, and they will stop at nothing, no matter how corrupt, to usurp all the powers of the provinces as provided in the Constitution of Canada and thereby gain absolute control over all Canadians. To make matters even worse, it now appears that not only are some provincial governments encouraging this unconstitutional, illegal act, but they are also openly participating in the procurement of same as well. Be it in ignorance, cowardice, or outright voluntary collusion, the sanctity of the Constitution of Canada is being violated in every sense of the word.

What can any provincial government, or any true Canadian for that matter, possibly hope to gain or accomplish from this

treason other than an unconstitutional, centralized government that is hell bent on the destruction of democracy in this country and the enslavement of its people? Canadians have been unconstitutionally denied and deprived of their rights to a better, more prosperous way of life as provided for in the Constitution of Canada, the British North America Act 1867. Canadians are literally being swindled and robbed of their purses and properties by unconstitutional, illegal, and excessive taxations that are driving them into bankruptcy and slavery. Canadians have nothing left to look forward to but debt, debt, and more debt; taxes, taxes, and more taxes.

Let us examine the facts. The BNA Act of 1867 clearly and specifically stated the legislative authority of the Parliament of Canada in section 91 and the exclusive powers of the provincial Legislatures in section 92. One of the powers assigned to the provinces was "Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes," section 92(2). In section 91(3) the federal government was given the authority for "the raising of Money by any Mode or System of Taxation." However, this power was circumscribed by the opening statement of section 91, which says:

To make Laws . . . in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.

Very clear. Therefore, Parliament could raise money by any form of taxation, except direct taxation because that was and is the exclusive prerogative of the provinces. Direct taxation refers to taxes upon income, corporations, and succession. So these are in the exclusive jurisdiction of the provinces, not the federal government. Parliament could raise money by indirect taxation methods, and that mode was by excise and customs duties.

The Judicial Committee of the Privy Council's decision on *Bank of Toronto v Lambe*, 1887, set down the distinction. The JC of PC took a definition from John Stuart Mill and stated:

Taxes are either direct or indirect. A direct tax is one which is demanded from the very persons who it is intended or desired should pay it. Indirect taxes are those which are demanded from one person in the expectation and intention that he shall indemnify himself at the expense of another; such are the excise or customs [duties] . . . he will recover the amount by means of an advance in price.

#### 845

While there is much debate about whether it was the intention of the Fathers of Confederation to leave the provinces in an inferior status with only modest legislative powers, the Judicial Committee of the Privy Council rendered decisions on cases involving federal/provincial jurisdiction in the years following 1867 based on legal evidence, the intention actually expressed by words used in the BNA Act. This action was in accordance with the tradition of the British legal system. The pattern which emerged was that federally enumerated powers were construed narrowly most often and provinces picked up subject areas of doubtful or ambiguously worded jurisdiction.

At the outset of World War I the Borden Conservative government drew up and passed the War Measures Act, with sweeping powers especially in the use of orders in council. Matter defined as provincial areas of jurisdiction could pass into federal hands. Despite a national emergency Canada had taken that first step into a dictatorship. One of the areas which saw government intervention was the economy, and federal direct taxation began in 1916. A business profits tax was levied on businesses for revenue and to decrease businesses' profits. One year later, in July 1917, income taxes were introduced taxing incomes in excess of \$2,000, which at that time few Canadians earned so there was no qualification. Nevertheless, what should

have been a temporary measure stayed on the statute book even though it was unconstitutional.

The hardships of the depression of the 1930s, the increased need for unemployment relief, regional disparities, and adequate taxation bases have been cited as reasons for an extensive and so-called necessary shift in government functions and tax powers. The solution to the Rowell-Sirois report, 1940, was that the federal government assumed all provinces' debts, responsibility for unemployment relief, and paid a national adjustment grant to have-not provinces. The catch was that the provinces would surrender all claims to the field of income tax, corporation taxes, corporate income taxes, and succession duties. Initial discussions of the Rowell-Sirois report at federal/provincial conferences in 1940 and '41 showed a distinct lack of enthusiasm on the part of the provinces, especially the have provinces.

World War II then took attention away from those matters, while at the same time allowing once again extensive powers for the federal government by virtue of the War Measures Act. By means of the wartime tax agreements of 1941, the provinces had ceased to levy personal income taxes, corporation taxes, and all other taxes. The provinces had no other recourse but to agree to the Act as they were falsely led to believe the federal government had the right under emergency wartime conditions to interfere in provincial jurisdictions. In return for the lost revenues the provinces were to be paid rent, or tax rental payment.

Having acquired a taste for centralization and revenue manipulation, Mackenzie King's Liberals produced the green book proposals in 1945. The government wanted to arrange a permanent centralizing of powers and finance; however, King did not contemplate, intend, or see the need for any constitutional amendments to allow for such a transfer. The provinces, however, would not give up their share of direct taxes, but, undaunted, almost from the day the conference of 1945 was finished, federal authorities began to seek limited and piecemeal agreements within the provinces in particular matters.

A second tax rental agreement covering 1947-1952 was accepted by all provinces except Ontario and Quebec despite the unconstitutionality of the agreement both in terms of the infringement of provincial jurisdiction and the provision of section 94 of the British North America Act, 1867, which states that

any Act of the Parliament of Canada making Provision for such Uniformity shall not have effect in any Province unless and until it is adopted and enacted as Law by the Legislature thereof.

For the provincial governments of the day to enter the agreements and to surrender their legislative powers, even if reluctantly or unadvisedly in light of their limited resources for cost-sharing programs, was not constitutional. Thus they can be accused of collusion with the illegal intention and actions of the federal government.

The very question of unconstitutional infringement and transfer of provincial legislative powers was ruled upon by the Supreme Court of Canada in a landmark case of 1950 and '51: the Nova Scotia interdelegation case, or Attorney General for Nova Scotia versus Attorney General for Canada. Seven of the nine judges affirmed the judgment of the Supreme Court of Nova Scotia that Bill 136, which contemplated the delegation of jurisdiction from the Parliament of Canada to the Legislature of Nova Scotia and vice versa, would not be constitutional since powers assigned exclusively in sections 91 and 92 would be interdelegated between federal and provincial legislative bodies. To quote from the Supreme Court of Canada:

The Parliament of Canada and the Legislatures of the several Provinces are sovereign within their sphere defined by The British North America Act, but none of them has the unlimited capacity of an individual. They can exercise only the legislative powers

respectively given to them by sections 91 and 92 of the Act, and these powers must be found in either of these sections.

The constitution of Canada does not belong either to Parliament, or to the Legislatures; it belongs to the country and it is there that the citizens of the country will find the protection of the rights to which they are entitled. It is part of that protection that Parliament can legislate only on the subject matters referred to it by section 91 and that each Province can legislate exclusively on the subject matters referred to it by section 92. The country is entitled to insist that legislation adopted under section 91 should be passed exclusively by the Parliament of Canada in the same way as the people of each Province are entitled to insist that legislation concerning the matters enumerated in section 92 should come exclusively from their respective Legislatures.

The judges made a number of pertinent points. J. Fauteux said:

No one has ever contended that a direct or indirect transfer of legislative authority – whatever be the name used to designate such transfer – is provided for in express terms under the Act, nor can it be implied without doing violence to the intent of the draftsman, to what is expressed in it and to the weight of judicial pronouncements available in the matter.

He went on to say:

Had it been the intention of the Imperial Parliament to give to one legislative body the right to delegate to the other, the word "exclusively" in both sections would have been omitted.

Justice Taschereau commented that if various powers could be delegated from federal to provincial authority and vice versa, then the powers of both which had been

strictly limited by the B.N.A. Act, would thus be considerably enlarged, and I have no doubt that this cannot be done even with the joint consent of Parliament and of the Legislatures.

J. Estey pointed out that "no express provision" existed in the BNA Act nor any possible implied provisions that the two bodies "were intended to act as agents one for the other."

8:55

This calls into question the constitutionality of the federal government's collecting income tax for the province or vice versa and the collection of the GST, again at both levels. Therefore, all subsequent tax-sharing agreements, '52-57, '57-62, '62-67, '67-72, are unconstitutional. Thus federal income tax collection is ultra vires, as is the famous GST. By section 92(13) of the BNA Act, 1867, regarding provincial jurisdiction over property and civil rights, section 92(2) regarding direct taxation, and section 94 providing the necessity of provincial legislation to validate any federal uniformity of laws, the GST is totally and blatantly unconstitutional. The government of Alberta in its own submission of March 12 and 13, 1991, to the Alberta Court of Appeal admitted and acknowledged that the GST was ultra vires. Furthermore, even if the Alberta Legislature were to adopt and enact a Bill fulfilling the requirements of section 94, the GST would still be unconstitutional by virtue of section 92(2) and 92(13).

There is no way to escape the truth. The federal governments have been perpetrators of unconstitutional acts, debasing the Constitution of Canada and, therefore, debasing and defrauding us, the Canadian people. Chief Justice Rinfret in 1950-51 said, In each case the Members elected to Parliament or to the Legislatures are the only ones entrusted with the power and the duty to legislate concerning the subjects exclusively distributed by the constitutional Act to each of them.

No power of delegation is expressed either in section 91 or in section 92, nor, indeed, is there to be found the power of accepting delegation from one body to the other; and I have no doubt that if it had been the intention to give such powers it would have been expressed in clear and unequivocal language.

Under the scheme of the British North America Act there were to be, in the words of Lord Atkin in *The Labour Conventions Reference* (1), "watertight compartments which are an essential part of the original structure."

Neither legislative bodies, federal or provincial, possess any portion of the powers respectively vested in the other and they cannot receive it by delegation. In that connection the word "exclusively" used both in section 91 and in section 92 indicates a settled line of demarcation and it does not belong to either Parliament, or the Legislatures, to confer powers upon the other. Under the statute the powers committed to Parliament and to the provincial Legislatures respectively, are, as already stated, exclusive. If, therefore, Parliament were to purport to authorize a provincial Legislature to exercise legislative jurisdiction assigned exclusively to the former, any exercise of such authority by the latter would, in fact, be an attempt to make laws in relation to a matter assigned exclusively to Parliament.

MR. CHAIRMAN: Just before you continue. You've now been speaking for 20 minutes. Our time was 15 minutes for each presenter, and you look like you have quite a large . . .

MR. BABINEAU: I have two pages to go.

MR. CHAIRMAN: Two pages?

MR. BABINEAU: Yes.

MR. CHAIRMAN: Okay.

MR. BABINEAU: Two and a half pages; I'm sorry.

MR. CHAIRMAN: Okay. Well, we'd appreciate it if . . .

MR. BABINEAU: I also heard other people up here speaking 24 minutes and 27 minutes.

MR. CHAIRMAN: I know, but I'm . . .

MR. BABINEAU: So I'm asking for the same grace.

MR. CHAIRMAN: Well, I'm giving it to you.

MR. BABINEAU: Fine.

MR. CHAIRMAN: But it looked like you had about 10 more pages to go. You've kind of reassured me, so carry on.

MR. BABINEAU: No. Those are just other things.

Consequently prohibited to the provincial Legislatures in the same way: if a provincial Legislature purported to authorize Parliament to legislate with respect to any of the matters enumerated in section 92, and Parliament attempted to act upon such authorization, it would similarly be attempting to make laws in relation to a matter assigned exclusively to the provinces.

During the argument in *CPR versus Notre Dame*, Lord Watson, with the apparent approval of Lord Davey, said:

The Dominion cannot give jurisdiction, or leave jurisdiction, with the province. The provincial [government] cannot give legislative jurisdiction to the Dominion parliament. If they have it, either one or the other of them, they have it by virtue of the Act of 1867. I think we must get rid of the idea that either one or the other can enlarge the jurisdiction of the other or surrender jurisdiction.

Mr. Justice Taschereau expresses his views as follows:

The Federal [government] cannot amend the British North America Act, nor give, either expressly or impliedly, to the local legislatures, a power which the Imperial Act does not give them.

This is clear and has always been held in this court to be the law.

It is our contention that the only way a true, democratic Constitution can be developed is by full participation of the people of the nation, coupled with an elected council consisting of equal representation from each province across the land that would draft the Constitution, which the people would ratify or reject. This procedure must be allowed to continue, however long it takes, until it is approved and ratified by at least 75 percent of all eligible Canadian voters. The Constitution of Canada does not belong either to Parliament or to the Legislatures. It belongs to the country, and it is there that the citizens of the country will find a protection of the rights to which they are entitled.

In the Constitution Act, 1982, it is stated in section 52(1):

The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

However, the unscrupulous government of Canada has chosen to dishonour the Constitution of Canada, to deny the principles of true democracy, and to abandon its responsibilities to the people of Canada in favour of a dictatorship-style government that caters to the demands of the power brokers, the bankers, and other types of big business who, in a cartel-like fashion, are the real controllers of this country, ruling by way of proxy through the powers unconstitutionally given them by the government of Canada in direct defiance of the Constitution of Canada, the British North America Act, 1867.

To take this matter still one step further, we feel it is our duty to inform the people of Canada that contrary to what governments would have us believe, it is not the people who elect the governments. Rather, the power brokers, the bankers, and other types of big business who, once again in a cartel-like fashion through their ownership of all that is of consequence including the news media, brainwash the people, the public at large, via deceit, lies, distortion, and slanted truths to help their party and candidates of choice, thus bringing about the engineered results: placing in power for another term their manipulated choices.

No, we do not have a constitutional crisis in this land. No way. But we do have a governmental crisis, and that's for sure: a governmental credibility crisis. We also have a truth and censorship crisis within the news media. The people of Canada must demand to be heard, and the people of every constituency must demand their right to the powers of referendum and recall. We the people must have the power to remove an elected official from office at any time during his or her term in office via the power of recall. We the people hire them, and it is we the people who must have the power to fire them. Government and all elected officers must be made responsible and accountable to the people. Furthermore, we the people must demand that the constitutional power of direct taxation be returned to the provinces where it constitutionally belongs and that all other unconstitutional taxations such as hidden and duplicated taxations be abolished at once. All provincial governments must take back their constitutional powers and accept their responsibilities to the people of Canada and their respective provinces.

With so many people across this land having been left crying and screaming out for justice that never came, is it any wonder that so many Canadians are leaving Canada with so many others openly advocating separatism? Is it any wonder that Quebec wants to break away from the unconstitutional governing of the government of Canada and its usurpation policies towards

provincial jurisdictions? How can anyone fault or blame Quebec for wanting to be free of the corrupt acts, practices, and policies of the government of Canada? How can anyone with even a smattering of the truth and facts of the matter at hand possibly blame Quebec for wanting to break away from the dictatorial fanaticism of the government of Canada? Surely the time is now for all provincial governments to get off their knees and stop playing the servile role, for each is sovereign within its own sphere. None is a subordinate of the government of Canada, as someone would have us falsely believe. If there is to be a Canada at all, the dishonourable denial of our Constitution and its whatever must cease now and full recognition of our constitutional rights must be reinstated.

9:05

It should be drawn to the attention of all that when a government no longer speaks for the majority, when it loses the trust, confidence, and support of the people, it also loses its right to govern. Brian Mulroney and his Conservative government do not speak for the majority. They have lost the trust, confidence, and support of the people and thus the right to govern. A government that continues to govern under these circumstances ceases to be democratic and is governing on the political philosophy, methods, and principles of a dictatorship.

Frederick Bastiat in his book *The Law, 1850* stated the following:

Let us now try liberty:

God has given to man all that is necessary for them to accomplish their destinies. He has provided a social form as well as a human form. These social organs of persons are so constituted that they will develop themselves harmoniously in the clean air of liberty. Away, then, with quacks and organizers! Away with their rings, chains, hooks, and pincers! Away with their artificial systems! Away with the whims of governmental administrators, their socialized projects, their centralization, their tariffs, their government schools, their state religions, their free credit, their bank monopolies, their regulations, their restrictions, their equalization by taxation, and their pious moralization. And now the legislators and do-gooders have so futilely inflicted so many systems upon society. May they finally end where they should have begun. May they reject all systems and try liberty, for liberty is an acknowledgement of faith in God and His works.

Frederick Bastiat, *The Law, 1850*. We of Canadian Tax-Payers United wholeheartedly agree.

Thank you.

MR. CHAIRMAN: Thank you very much for the lengthy presentation, Joe.

In view of the hour and that we don't want to close off anybody who wishes to . . . Yes?

MR. DAY: One quick question, Mr. Chairman. Joe, in light of the 1950 case referred to, to your knowledge has any group like yours or any other since then challenged any provincial government for putting a sales tax on . . .

MR. BABINEAU: I'm challenging them.

MR. DAY: In court?

MR. BABINEAU: I'm challenging Richardson securities, who deducted \$8.75 out of my account. I'm suing them.

MR. DAY: On the basis of this?

MR. BABINEAU: Yes.

MR. DAY: I'll be interested in that. I appreciate that information.

MR. BABINEAU: It comes up to court in April.

MR. DAY: Thank you. Which court?

MR. BABINEAU: The provincial court, I believe.

MR. DAY: Okay; thanks.

MR. BABINEAU: I also have a presentation. I don't have to get into it; each of you has this. It's on the Senate. You all have a copy of that that you might be interested in looking at.

MR. CHAIRMAN: We will make sure that the other members of our select committee also receive a copy. Thank you very much.

MR. BABINEAU: Thank you very much.

MR. CHAIRMAN: All right. It's after 9.

MR. DAY: Joe, your briefcase is on the desk.

MR. CHAIRMAN: Yes, take your briefcase.

Maureen Dawson would like to make a brief presentation.

MS DAWSON: My name's Maureen Dawson. I will speak on the Constitution. What we have is the Constitution being a binding factor. I think this binding factor should be that by justice, law, perhaps by order also. We're looking for humanitarianism in our leaders, perhaps exemplified through morals. Mr. Mulroney does lend to this from time to time, where he goes off in his child development instigations through the UN, and there are other instances where he does lead to humanitarian displays. He also falls to the other side in his undiplomatic lendings to the military. That we've just been through in the Iraq situation.

It was happily afforded thereafter through the GST. It took eight Senators to pass that tax. The cost of that in 10 years is only \$8 million; that's 10 years. You can't get rid of these guys, the Senators.

I mean, we've got to look at justice, the wants and needs of people. Mr. Mulroney casually makes between seven grand and 15 grand a week. A person can easily exist on \$5,000 a year, easily. You have to be a bit educated, but this is life. Where can he find justice in accepting this sort of a wage? He is supposed to be an example-setter. What I'm seeing is that, yeah, that's a pretty standard wage, a hundred grand a year; you know, that's casual. But this is casual in that where this man is in a position to being set as an example. Well, that's standard, and that's accepted. But the thing is, it's not. There are many starving people out there. He can go out and afford his wife's wardrobe and more of his wife's wardrobe. Well, that's fine, but that's Canadian taxpayers' dollars. That's the way it is. A hundred thousand dollars is a lot of money. He can afford to sleep through whatever and whatever. His chair might be better set by somebody else.

The thing there is that we have to see needs and wants. Where we can collect these \$100,000 cheques per year, we still have to understand that we are a very fortunate society where there are so many unfortunate people. You can scoff and you can laugh, but the fact is we are very fortunate. I sit under the



poverty level. Would I be proud, but this is the fact. I sit under the poverty level, but in essence that is not the poverty level; the poverty level is those suffering from cholera and the likes of that in other countries, you know.

We can get to where we can just sit and, say, debate something for, like, 10 to 12 months. I mean, how can you possibly do it? How do we get away with it? What's the point? You go round and round in circles and nothing is accomplished. What it takes is another committee. Okay. Well, these little committees – we'll take Spicer's committee, for example. Twenty-seven million dollars in – what? – 10 months. Bam, it's gone. I mean, like, what's the point? What did we get out of it? Who knows? Who knows?

A few more public comments. The thing is that when we have a government, it should be the government overseeing the people, not the people overseeing the government. We don't want the government throwing their workload on us. I mean, I've got things to do. I don't want to be overseeing the government's job, and that's pretty much the case. I mean, you've got to watch that thing. You have to watch the government. Where you do see a fault and you try to get it through to them, there's no sense of communication. You know, from the people to the politicians, how do you get through? Try as you might, I don't know.

In Quebec if there is a problem or if there is not a problem, we should decided that. Maybe we should ask Quebec a question like: what is the problem where we can go off and afford these little committees, this one costing \$100,000 per as long as it lasts? Quebec is – well, they've sort of termed it as a distinct society, but distinct or otherwise, I sort of think it belongs. Quebec adds to our culture. Culture is maybe the most important thing in our society. I don't think that in Canada to a large degree we recognize that fact, but culture is a very important part of this society. Quebec is the richest part of our Canadian society in that where a child first comes to distinguish that he is speaking a different language, he will inquire, and at that his first response to the question will be something along the line of Europe in the lines of France, you know, where they have all these fabulous artifacts and culture and all of it. So right off the bat you've got a child a little bit more in tune to the rest of the world.

Rounding up, where we can maybe do away with some of these committees, we can maybe afford some of that double language. For example, the signs duplicated. I don't really think it harms anyone. The benefit of having a second language – it's just beyond a doubt to the benefit of any to have the capability, the chance, the opportunity is what it is, to have the second language.

Just a few more brief notes here.

9:15

Again, the Senators are a permanent fixture. Once one sets into a government position, it's anywhere between four days and six years, as has been reported, that one is on a pension; we sort of lose a bit of money there too.

I guess I should maybe apologize to Mr. Mulroney for pointing him out like that; I mean not to, but I have. It's the government, and it's costing us billions of dollars, and that's crime. I'm afraid that is crime. We've got starving Africans; we've got flipping crying everywhere. There is war and there is more war and there is more desperation than you people want to admit to or even look at. War is. GST affords for it. We lend to the U.S. of America; we are Canada of America. I don't think we should forget it. That's U.S. of America, and where

Mr. Mulroney and his government plays to Mr. Bush's war antics is wrong. We need some ethics, some morals. Where is murder legal but where George Bush says go out and kill? At that he did 270,000 people, no problem. We afforded \$600 million to that damned war, and George Bush is saying, "That's right." It's not.

Okay, we've got red tape. I don't know if it's really red tape or if it's just a matter of laziness. Basically, if you don't want to look at something, you don't, but you can accredit it to red tape. The thing is there are laws, and some of these laws need reforming. That's where our politicians should be intact, in fact, rather than debating and squabbling in the Legislature and Parliament. You hear the name-calling and the waste of time, that it's costing the taxpayers dollars. It is costing the taxpayers dollars, and it isn't doing much else. Again, a debate for 10 months on something: what's the point?

MR. CHAIRMAN: Well, Maureen, I appreciate your thoughts. Since you were not on the list earlier, we have another gentleman who would like to give us some views, so if you could perhaps bring your submission to a conclusion, I would appreciate that.

MS DAWSON: Round it up. I thank you, and for your time I do thank you.

In medicare this is another fact, something that sort of needs to be looked at again. The point here is that medicare is not so much a necessity as that of education to avoid the need of medical attention. As has been quoted to me, the doctors will feed prescriptions to the patient in order to keep the customer coming back. It's just a matter of feeding their own purse again. All you need is the basic diet and knowledge of a basic diet, but here again the practitioners are only responsible for two years because that's the way the law is. I mean, if you're going to hand your life to somebody to work on and they're only responsible for it for two years, are they really responsible at all? That's the doctors.

Efficiencies. We're also looking at the U.S. and the Mexican trade roundabout, the trio thing there. Anyway, I'm just sort of wondering why we are so desperately seeking U.S. trade. They don't need it, we don't want it, yet we continue. It's like Mexico; it's like Africa. They so desperately need our favour and our trading capacities and our abilities, but we continue to lend to the great old American whatever it is. I think it's falling.

Anyway, I thank you for your time. I must apologize for being so harsh, but, I mean, points have to be made, and I'm afraid sometimes it can be that way.

MR. CHAIRMAN: Well, thank you very much.

MS DAWSON: I thank you too.

MR. CHAIRMAN: Stephen Kahn.

MS DAWSON: God bless. May God bless.

MR. CHAIRMAN: Thank you.

MR. KAHN: Oh, smile. I'm the last one, I gather; you can all go home after.

I only have three copies, but if you want to share.

MR. CHAIRMAN: We'll have copies made, so that's fine.

MR. KAHN: I'll be very brief.

MR. CHAIRMAN: Thank you.

MR. KAHN: Mr. Chairman, committee members, and audience, I'm going to zero in on one specific aspect. We've heard a number of submissions tonight, and you've heard dozens more. I, in fact, gave one last May. I just want to zero in on one specific aspect of it.

No one has ever taken the time to explain why Quebec or anyone else should be a "distinct society" or has explained what that term means. From the *Oxford English Dictionary* I gave this committee last May a definition – Mr. Schumacher was the chairman that evening – of the word "distinct." Out of something like 18 different definitions it was "different in quality or kind." I can assure you that Quebec does not mean "inferior" by it.

The answers from the federal government and from my MP as to why Quebec is a distinct society are nonexistent, and my MLA's explanation, when I cornered him, was disdainfully given to me as, one, they are different; two, they have a different language; three, they have a different culture; four, they have a different law. These things, if correct, might make them different but certainly not distinct. I can agree that they have a different language, but I reject the other differentiations. They watch TV the same as we do, only they watch it in the French language; we watch it in the English. They go to Place des Arts in Montreal; we go to the performing arts building here or the O'Keefe Centre in Toronto. Again, the difference is language. They do jigs; we do square dances. In terms of culture I do not see any difference. Therefore, I would say that unless we are all recognized as distinct, no one should get that designation. At best, in order to solve their insecurity, why not use the word "French," as in a French society, but not distinct.

Allow me to repeat what I said to this committee last May 24.

There should be a statement that all Canadians are equal and should be seen as equal. There should be no distinct society, unique character clause for any group, as these terms have the connotation of better or superior and are reprehensible and unacceptable to many Canadians. Refer back to the *Oxford English Dictionary* I [just] mentioned at the beginning of this presentation. Of course, once exception: if you will ensure that put into the Constitution is a clause [that says], "Steve Kahn and his descendants are a distinct society,"

then I say fine. I don't mind Quebec, but obviously if I want it, you want it, you want it, and everybody else wants it. The point is that it makes us apart, not together.

If the price we have to pay to keep Quebec in Confederation is to make you and me second-class citizens in our own country – and I contend that is what those words do – then I say the price is too high. If Quebec can't live as a province in Canada, albeit as the guardian of the French language and their culture, then it has to be sovereignty, not sovereignty association. I'm not going to have non-Canadian Quebecers attending a Canadian Parliament and telling me what to do. We in Alberta should start talking to B.C. and perhaps Yukon to form our own distinct society and our own social and economic agenda.

That is the quotation from my previous one.

That is what I wanted to say.

9:25

MR. CHAIRMAN: Thank you very much, Stephen.

MR. KAHN: You're welcome.

MR. CHAIRMAN: We appreciate you coming forward.

Ladies and gentlemen, we will adjourn until tomorrow morning at 9 o'clock. Today we've heard 32 presenters. We have a full day tomorrow morning and afternoon, and we will thus wrap up our presentations here in Calgary and then carry on to Hanna, Wainwright. In Edmonton on Friday we shall conclude this interesting and challenging process. For all the members of the select committee I thank the audience for attending and paying such careful attention this evening.

[The committee adjourned at 9:26 p.m.]

