

Bringing it back home

by Jim McElgunn

The federal government's unilateral move to patriate the Canadian constitution is necessary because "if we waited for unanimity we'd never achieve anything," according to political science professor Garth Stevenson.

Stevenson was speaking to about 45 people at a Political Science Undergraduate Association (PSUA) forum on "the constitutional dogfight."

He said the provinces have been using the federal government's desire for a Canadian constitution to try to win an unprecedented degree of decentralization.

The federal proposal has thus caused great indignation among many provincial governments because "they see this game being put to an end."

Stevenson said he favored the federal plan for a national referendum on constitutional amendments. The same complex combination of provinces would have to approve any changes, but it would be the voters in the province who decided rather than their provincial governments.

"This would not mean bypassing the provinces but bypassing the provincial governments," he said.

Professor Fred Engelmann, speaking at the forum, said bringing home the constitution is a worthy goal but the federal government's unilateral actions

are the wrong way to do it.

Engelmann said human rights guarantees are the main selling point in the constitutional package, but "I cannot help but shake my head sadly, because I don't want — and I don't think most Canadians want — a bill of rights from a man who ten years ago invoked the War Measures Act against 22 million people because of 35 criminals."

Professor Stevenson said he thinks it is important to act now because "the opportunity is there now...it's our last best chance...bitterness will be more prevalent among provincial governments than among the general public."

He said fears the Prime Minister would use referenda to change the constitution at will are nonsense. This can be seen in

Australia where almost 3/4 of the federal proposals for constitutional changes have been defeated, often because of opposition in the smaller more conservative states.

He thinks the proposal will have no trouble passing the British Parliament. There might be some backbench dissent but "I couldn't see the British connection surviving a refusal (to pass the bill)."

Engelmann agreed a refusal is unthinkable, but predicts the British will stall until the Supreme Court of Canada rules on the challenge of six provinces to the proposal.

According to Engelmann, the biggest obstacle to bringing home the Canadian constitution is Pierre Trudeau.

"After Trudeau,....yes!"

Axworthy

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we're getting into.

"As long as this psychology of fear is perpetrated... we can't take advantage of the kind of exciting opportunities available to us now," he said.

He pointed to the work of the Western Cabinet committee as evidence of the representation Western Canadians were getting at the federal level. Its initiatives, he said, including approval of the Alaskan pipeline prebuild, brought relief to farmers, and an industrial blueprint for Western development prove Westerners are not being shut out of Confederation.

"But response is a two-way street," he said.

"Many of the recommendations for the constitution put forward by Western ministers were accepted," said Axworthy. "It's not one man pulling the strings."

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