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Constitutional debate comes to York

Michael Monastyrskyj

"We are one day before one of the most historic votes in the House of Commons....Why aren't we cheering?" Speaking as a member of a panel discussing the constitution, Jim Coutts, Pierre Trudeau's former secretary, said that Canadians should be excited that their constitution is finally coming to this country.

During the two hour conference, held Tuesday at McLaughlin College, the other panelists, James Gillies, a York professor and a former advisor to Joe Clark, York President H. Ian Macdonald, Ontario's former

chief economist, and H. Thomas Wilson, a professor of Administrative Studies and Law at York, expressed less enthusiasm than Coutts did over the new federal-provincial agreement, but only Wilson opposed it outright.

CTV news commentator Lloyd Robertson served as moderator for the conference which took place before about eighty people. Robertson stated early that "Quebec is the question of the moment," and that province's opposition to the accord dominated much of the question and answer session which followed the speeches.

Coutts argued that in opposing the repatriation project the Parti Quebecois did not represent the view of the province as a whole. "Who speaks for Quebec?", Coutts asked. "The Prime Minister is from Quebec, eleven or twelve ministers are from Quebec and seventy-five M.P.'s come from Quebec." Macdonald expressed a similar opinion when he said, "We have much to do quickly to convince the people of Quebec, not the government."

John Harney, a former N.D.P. member of parliament was angered by the suggestion that the Parti Quebecois did not represent Quebec and argued that the panelists used a double standard to judge the party. Pointing out that other provincial governments were accepted as the sole representatives of their constituencies, he wondered, "Did anybody ask Bennett's N.D.P. opposition what they thought of the matter? Do we even question Lyon who was sitting there for Manitoba and was not even premier when the thing came out?"

Robertson stated that it was unfortunate that Quebec, or all the provinces, for that matter, did not use a referendum to discover what the voters thought. Wilson, however, strongly opposes the idea because he considers referenda as part of what he terms the West's "retreat from the representative principle."

According to Wilson, the increasing power of the executive, administrative and judicial branches of government at the expense of the legislatures, is undermining the system whereby people rule through elected representatives.

His opposition to the Charter of Rights is based on this belief. "I am the only American on the panel," he said, "and I am the only one suspicious of the American way of doing things." Arguing that the Charter of Rights would increase the power of the judiciary he stated, "The first caveat I would have to offer is the record of the American Supreme Court during its history of defining fundamental liberties. It's not very good." He went on to say that Canadians tend to view the courts as defenders of civil liberties, as a result of having witnessed the liberal Warren court. He, however, has this warning, "The Warren court, or even the Roosevelt court, does not account for much of the history of the Supreme Court." Wilson added that the court has often defended the rights of large interests at the expense of the individual.

Macdonald was also concerned with the prospect of increased judicial power. In his opinion, "The Charter of Rights becomes a bonanza for lawyers and judges. I am worried that the more technicians we put between ourselves and our government, the more danger there is of alienation between ourselves and our government." Nevertheless, Macdonald describes himself as "one who was converted to the need for an entrenched Charter of Rights" because Canada's ethnic groups need the protection of such a charter.

Coutts used much the same

argument and cited three groups who have suffered in the past. "We don't have to take long to think of the Chinese community, the Japanese community, or the Ukrainian community during the First World War."

Gillies also supports the Charter of Rights and is pleased that Canada is about to repatriate its constitution. He, on the other hand, believes, "This clearly has to be only the beginning." According to Gillies, there is a need for serious institutional reform because Canadians are losing their voice in the government. "Those who are governed have the right to input in the process whereby they are governed. I would argue we have lost that right. No one has tried to take it away from us. We have lost it by default."

Among the changes Gillies proposes is a reform of the Senate after the model of the American Senate. Gillies believes the American Senate allows every region, regardless of how small it is, to feel that it has a say in running the country. He believes an elected Canadian Senate could be used to serve the same purpose. "It is wrong that people west of Thunder Bay feel that they have no representation in the central government."

Although Coutts believes the settling of the constitutional question is an important moment in history, he acknowledges that the process is not complete. "There is much to be done, but the process is launched..."



Evan Adelman

H. Ian Macdonald is concerned with the Charter of Rights.

A paranoid Mr. Pickwick

Paula Todd

The ads for *Mr. Pickwick*, a new play at the Toronto Workshop Theatre, set the opening night performance for November 26th, but don't be fooled! An *Excalibur* reporter, invited to the premiere by TWP's publicity director David Pacquet, was verbally accosted, threatened and denied entrance to the show.

"You're not going in there" bellowed Mona Luscombe, administrator and part-owner of the 23-year-old theatre. Leaning menacingly close, she hissed, "If you don't leave I'll get my husband (George Luscombe, artistic director for *Mr. Pickwick*) and he'll throw you out!"

Volunteer reporting for a school newspaper is dangerous work, but I had a mission.

"Can you explain to me," I enquired politely, "why I was invited for this opening and you won't let me see the show?" Mrs. Luscombe eyed me suspiciously and spat out — "no critics until the 3rd of December and you're in big trouble if my husband sees your pad and pen." The theatre patrons were now lining up in the lobby, attracted by the ticket taker's flying hands and mouth, convinced our show was better than the one they'd paid up to \$10 to see.

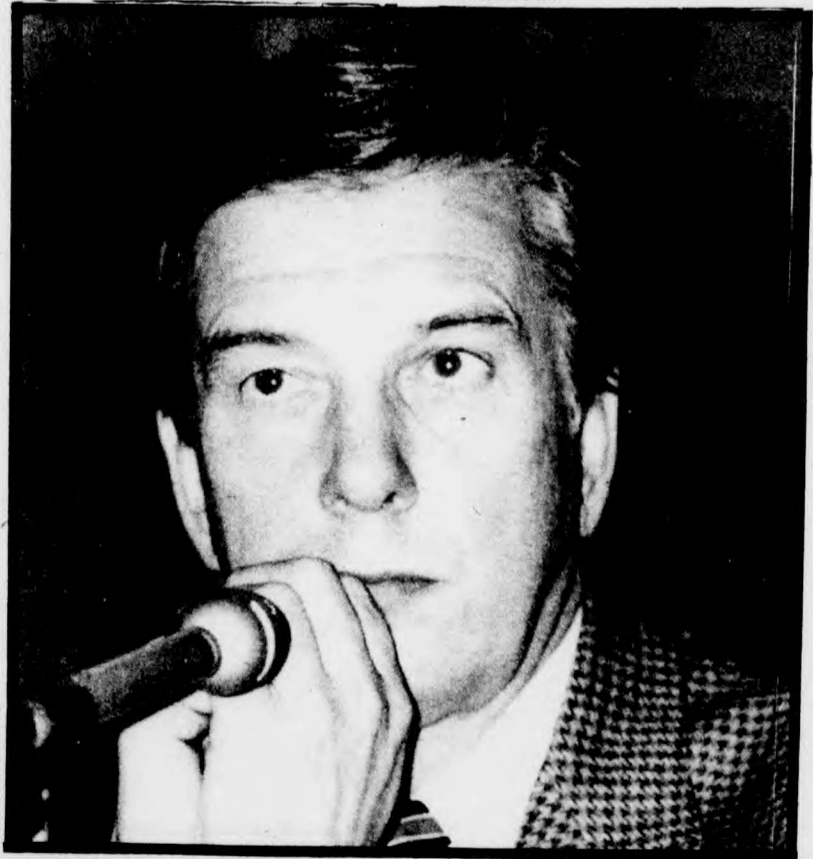
The problem, it seems, is that Toronto Workshop Theatre doesn't respect the Toronto theatre policy of offering low cost previews before the official opening. Instead, they've barred critics until the 3rd but are charging the public regular prices to see the previews.

"The set isn't finished and the performers aren't ready," said the assistant manager. Publicist Pacquet admits that the show is "running about 20 minutes long", but assures that will be "corrected in the next couple of days" — before the critics see it and after the public has appraised it.

The play is an adaptation of Charles Dickens' *Pickwick Papers* and ironically, if the hysterical rantings of Mrs. Luscombe are any indication of the energy and dynamism on stage — the show's probably good —

"I don't care who you are or where you're from. GET OUT OF HERE!" Dickens couldn't have done it much better.

Paula will try again.



Evan Adelman

Lloyd Robertson says Quebec "is the question of the moment."