

Federal government compared to Salvation Army

Young Conservative forum discusses Quebec

By AGNES KRUCHIO

Quebec should have authority over its own immigration, communications, language and culture in a new federal system, Pierre Patenaude, President of the Constitutional Law Professors Association of Canada told an Osgoode Hall audience last week.

Patenaude, who describes himself as a "federalist but whose country is Quebec, not Canada," said the new constitution will have to recognize the special status the French already have in this country. "Quebec is the national state of the French Canadians . . . and as such, it has special status."

"In its essence, federalism is a compromise between the fundamental desire of independence of nations and the essential search for unity and dialogue."

"This would require, or would

have required, a response to the incessant demands from Quebec," Professor Patenaude said. This has not been done by the powers in Ottawa, he said, who, instead of confronting real problems, have "laid stress on the (minor) patriation question," he said.

"Why did no one try to answer the constant demands of Quebec? Why have the political authorities not surrounded themselves with the best intellectuals of the country to prepare a new political compact instead of using civil servants and federal civil servants to defend the status quo?"

"Nations, like fishes, decay by the head," he said, quoting Mao Tse Tung.

Professor Patenaude, who teaches constitutional law at the University of Sherbrooke, Quebec, said the new constitution should end

the provinces' monetary subjugation to the federal "Salvation Army" and limit the spending power of the federal government.

While Quebec can politically survive both inside and outside of confederation, he said, it will need essential powers to survive within confederation. The only way a culture can be protected, said Patenaude, is to control language rights and communications.

He said French Canadians have no guarantee that "50 years down the road their rights will be protected."

To safeguard a measure of federal control the new constitution could assure the "rights of the central government to administer two national (communications) networks and to fix quotas to immigration."

Supreme Court of Canada judges should be selected by both provincial and federal authorities, the professor suggested. "Canada is the only federal state in the world where the final arbiters between the provincial and federal governments are all selected by the

federal power," he said.

Professor Patenaude, who is currently visiting at Osgoode Hall said newspapers in English Canada do not give an "accurate image of what goes on in Quebec." Because of biased media coverage, many federalist students from Quebec studying in English Canada return home "the worst of separatists," he said in an interview.

York president H. Ian Macdonald said Canadians should not have any illusions "about the clear and singleminded objective of the Parti Quebecois."

While the people of Quebec may have elected it because they wanted a party that would "govern in a more sensitive manner", the "fact remains that a party has been elected with the over-riding motive of forming a separate nation," he said. Debate must take place between the two sides, Macdonald said, but not among politicians, but the people at large. This is what the Conference on National Unity arranged by the province and to be held at York university will serve, he said.

Discussion should be on "ways of identifying and strengthening the present advantages of Canadian unity" and ways of diminishing the present disadvantages or weaknesses which serve to undermine the system.

Macdonald, who formerly served in the Ontario government as deputy minister of the department of the intergovernmental Treasury and affairs said "another round of constitutional discussions is not "necessary or potentially helpful."

He said the economic and social costs and benefits of confederation and the costs and benefits Canadians would face without it, should be presented to Canadians, upon which they could base a decision on the future of the country.

Ron Atkey, a former Conservative MP and a constitutional lawyer, said he is "skeptical of the Ottawa mandarins' ability to understand the problems of the regions, especially those of the Atlantic and the western provinces". The federal government has more money "than they know what to do with" and in the process of looking around for ways to spend its money, Mr. Atkey said, the federal government moved into areas not strictly part of their responsibility."

He said he would prefer a "movement toward a classical form of federalism which means a balance of power between local and federal authorities."

A classical federalism would include guarantees for minorities, and the inclusion of the provinces in the Supreme Court of Canada.

Robin Jeffery, a former mayor of Belleville, said the people of Eastern Ontario want Quebec to remain in confederation but are not willing to use force, fear, bribery or granting special concessions to keep Quebec in Canada.

Another member of the panel, Peg Holloway, who is a real estate agent who took a leave of absence to promote her Pro-Canada Movement, said English Canadians should try to understand the Quebecois. "It's up to each individual to start talking," she said.

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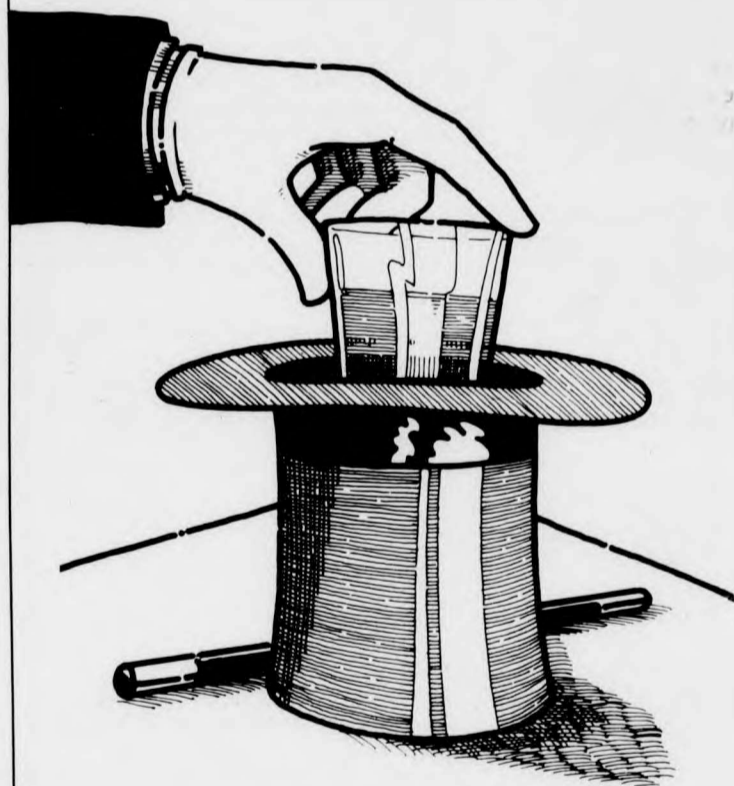
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