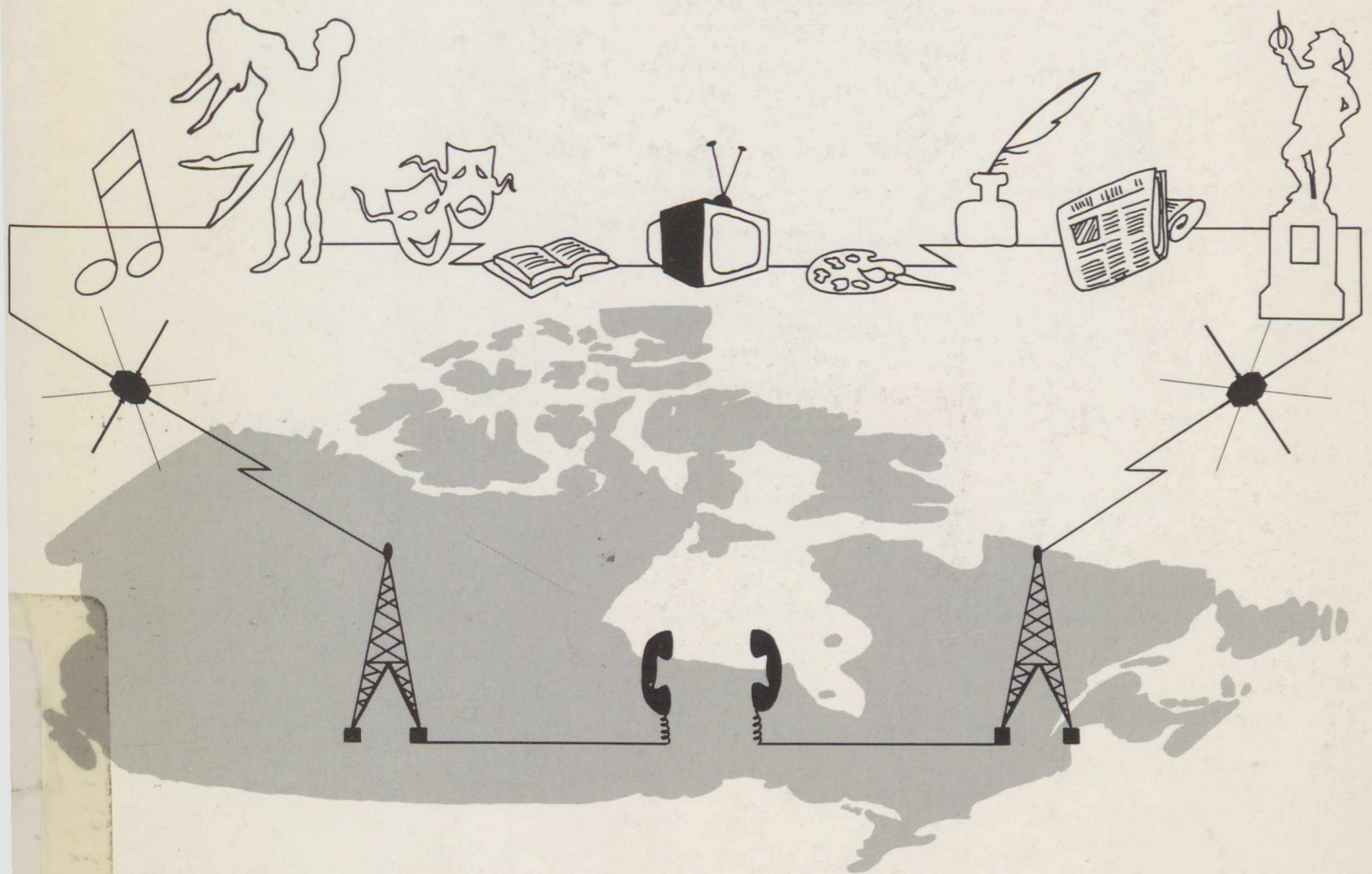




HOUSE OF COMMONS  
OTTAWA

# CULTURE AND COMMUNICATIONS: THE TIES THAT BIND



Report of the Standing Committee  
on Communications and Culture

April 1992

**Bud Bird, M.P.**  
*Chairman*

**Jean-Pierre Hogue, M.P.**  
*Vice-Chair*

**Sheila Finestone, M.P.**  
*Vice-Chair*





HOUSE OF COMMONS

CHAMBRE DES COMMUNES

Issue No. 34

Fascicule n° 34

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 Wednesday, February 5, 1992  
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 Wednesday, February 12, 1992  
 Thursday, February 13, 1992  
 Tuesday, February 18, 1992  
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Le lundi 27 janvier 1992  
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 Le mardi 4 février 1992  
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 Le jeudi 13 février 1992  
 Le mardi 18 février 1992  
 Le mardi 25 février 1992  
 Le mardi 10 mars 1992  
 Le mercredi 11 mars 1992  
 Le mercredi 18 mars 1992  
 Le jeudi 26 mars 1992

Chairman: Bud Bird

Président: Bud Bird

*Minutes of Proceedings and Evidence of the Standing Committee on*

*Procès-verbaux et témoignages du Comité permanent des*

# Communications and Culture

# Communications et de la Culture

RESPECTING:

CONCERNANT:

Pursuant to Standing Order 108(2), a study of the implications of communications and culture for Canadian unity

Conformément à l'article 108(2) du Règlement, étude de l'influence des communications et de la culture sur l'unité canadienne

INCLUDING:

Y COMPRIS:

The First Report to the House

Le premier rapport à la Chambre

Third Session of the Thirty-fourth Parliament, 1991-92

Troisième session de la trente-quatrième législature, 1991-1992



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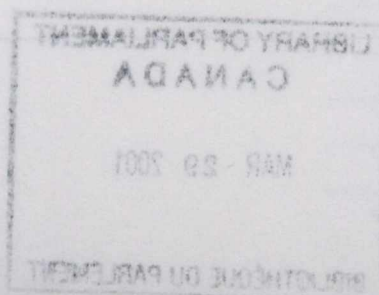
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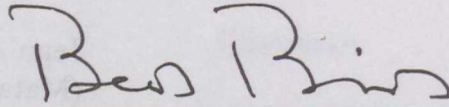
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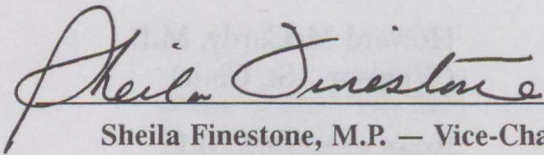
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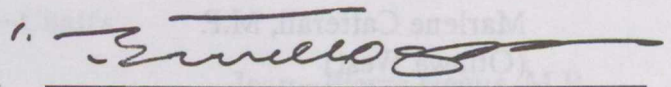
**CULTURE AND COMMUNICATIONS: THE TIES THAT BIND**  
**REPORT BY THE STANDING COMMITTEE ON COMMUNICATIONS**  
**AND CULTURE**



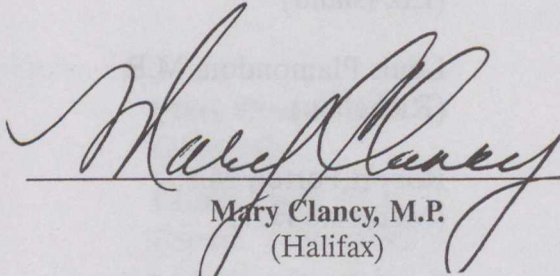
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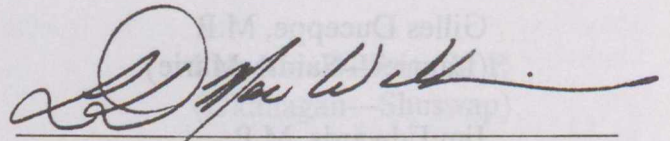
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(Mount Royal)



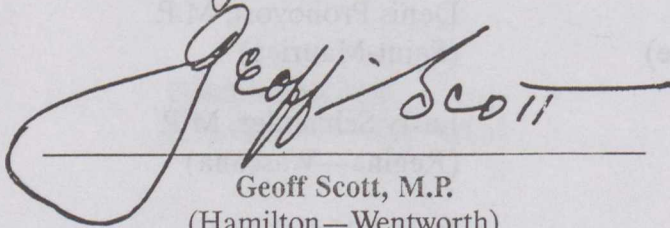
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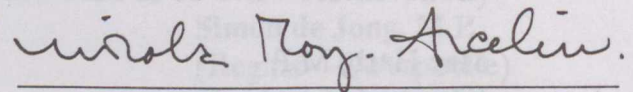
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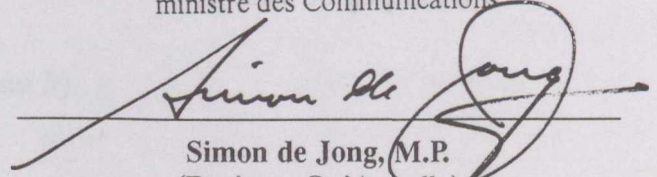
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# REPORT TO THE HOUSE Table of Contents

## SUMMARY

INTRODUCTION: THE IMPLICATIONS FOR CANADIAN UNITY	ix
SUBMISSION TO SPECIAL JOINT COMMITTEE ON A RENEWED CANADA	x
CHAPTER ONE: IDENTITY, DIVERSITY, UNITY	xi
CHAPTER THREE: FULFILLING THE CONSTITUTIONAL PROMISE	xv
CONCLUSION: THE TIES THAT BIND	xvii

The Standing Committee on Communications and Culture has the honour to present its

## FIRST REPORT

RECOMMENDATIONS	xix
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## CHAPTER ONE: IDENTITY, DIVERSITY, UNITY

Pursuant to Standing Order 108(2), the Committee has considered the implications of communications and culture for Canadian unity and agreed to report the following:

1A. CULTURE: THE SOUL OF SOCIETY	3
1B. CANADA'S CULTURAL COMMUNITIES	5
1C. COMMUNICATIONS: THE CULTURAL CONNECTION	10
The Canadian Broadcasting Corporation	12
Private Broadcasting	15
The Print Media	17
Telecommunications — Canada's Electronic Railroad of the 1990s	18
1D. DIVERSITY: THE COMMON GROUND	18
Conclusion	22
CHAPTER TWO: THE ROLE OF GOVERNMENTS	23
2A. THE CONSTITUTIONAL CONTEXT	24
2B. THE FEDERAL MANDATE	27
2C. PARTNERSHIPS: FEDERAL, PROVINCIAL, MUNICIPAL	32
2D. PARTNERSHIPS: PRIVATE AND PUBLIC	38
CHAPTER THREE: FULFILLING THE CONSTITUTIONAL PROMISE	43
3A. CULTURE AND COMMUNICATIONS: BALANCING THE EMPHASIS	43
3B. STRATEGIC POLICY DIRECTIONS	44
3C. GUIDING PRINCIPLES	45
3D. A CANADA CULTURAL ACCORD	48
3E. CULTURAL INVESTMENTS	49
Government	49
Private Sector	50
Individual Citizens	52
Some Comparisons	53





# Table of Contents

## SUMMARY

INTRODUCTION: THE IMPLICATIONS FOR CANADIAN UNITY .....	ix
SUBMISSION TO SPECIAL JOINT COMMITTEE ON A RENEWED CANADA .....	x
CHAPTER ONE: IDENTITY, DIVERSITY, UNITY .....	xi
CHAPTER TWO: THE ROLE OF GOVERNMENTS .....	xiii
CHAPTER THREE: FULFILLING THE CONSTITUTIONAL PROMISE .....	xv
CONCLUSION: THE TIES THAT BIND .....	xvii

RECOMMENDATIONS .....	xix
-----------------------	-----

CHAPTER ONE: IDENTITY, DIVERSITY, UNITY .....	1
---	---

INTRODUCTION .....	1
1A. BUILDING UNITY: PRESERVING IDENTITY .....	1
1B. CULTURE: THE SOUL OF SOCIETY .....	3
1C. CANADA'S CULTURAL COMMUNITIES .....	5
1D. COMMUNICATIONS: THE CULTURAL CONNECTION .....	10
The Canadian Broadcasting Corporation .....	12
Private Broadcasting .....	15
The Print Media .....	17
Telecommunications — Canada's Electronic Railroad of the 1990s .....	18
1E. DIVERSITY: THE COMMON GROUND .....	18
Conclusion .....	22

CHAPTER TWO: THE ROLE OF GOVERNMENTS .....	23
--	----

2A. THE CONSTITUTIONAL CONTEXT .....	23
2B. THE FEDERAL MANDATE .....	27
2C. PARTNERSHIPS: FEDERAL, PROVINCIAL, MUNICIPAL .....	32
2D. PARTNERSHIPS: PRIVATE AND PUBLIC .....	38

CHAPTER THREE: FULFILLING THE CONSTITUTIONAL PROMISE .....	43
--	----

3A. CULTURE AND COMMUNICATIONS: BALANCING THE EMPHASIS ..	43
3B. STRATEGIC POLICY DIRECTIONS .....	44
3C. GUIDING PRINCIPLES .....	45
3D. A CANADA CULTURAL ACCORD .....	48
3E. CULTURAL INVESTMENTS .....	49
Government .....	49
Private Sector .....	50
Individual Citizens .....	52
Some Comparisons .....	52



Economic Impacts .....	53
Future Cultural Investments: Federal Government .....	53
3F. AWARENESS AND ACCESS .....	57
3G. THE CANADA COUNCIL .....	59
3H. THE ARTISTS AND THE ARTS .....	61
3I. RIGHTS TO COMPENSATION, COPYRIGHT .....	64
3J. CULTURAL INDUSTRIES .....	66
Broadcast Programming, Film and Video .....	67
Sound Recording .....	71
Book and Periodical Publishing .....	72
3K. HISTORY AND HERITAGE .....	74
Museums and Galleries .....	76
National Historic Sites .....	76
Heritage Property .....	77
Archives and Libraries .....	78
A National Heritage Council .....	80
3L. THE CANADIAN BROADCASTING CORPORATION (CBC) .....	81
Radio Canada International .....	82
3M. CONVERGING TECHNOLOGIES .....	83
3N. TELECOMMUNICATIONS .....	84
3O. THE TIES THAT BIND .....	87
<b>APPENDIX A: LETTER INVITING SUBMISSIONS AND TERMS OF REFERENCE</b> .....	<b>89</b>
<b>APPENDIX B: SUBMISSION TO SPECIAL JOINT COMMITTEE ON A RENEWED CANADA</b> .....	<b>93</b>
<b>APPENDIX C: LIST OF WITNESSES</b> .....	<b>173</b>
<b>APPENDIX D: LIST OF SUBMISSIONS RECEIVED</b> .....	<b>181</b>
<b>REQUEST FOR GOVERNMENT RESPONSE</b> .....	<b>187</b>



### INTRODUCTION: THE IMPLICATIONS FOR CANADIAN UNITY

In June of 1991, our Committee decided to conduct a study on “*the implications of culture and communications for Canadian unity*”, and we began a schedule of hearings in early October. Among a total of 46 witnesses, we heard from leading agencies and organizations in Canada’s culture and communications sectors, as well as from ministers and officials in relevant government departments. A number of others made written submissions, and some individuals appeared before us in person. Overall, by mid-December we had conducted a comprehensive schedule of hearings and received an extensive record of informed opinion about the subject matter of our study. In so doing, we also gained a broad overview of the main policy issues affecting culture and communications in Canada, particularly with respect to the roles and responsibilities of the federal government.

This study was initiated because the members of our Committee believe that both culture and communications are unique and compelling subject areas with respect to the constitutional renewal of Canada. In fact, as one of our witnesses stated, we believe that the constitutional issue is as much *cultural* as it is *political*. In addition, we had received indications that a significant number of individuals, agencies and organizations in the culture and communications sectors had not been provided a focused opportunity to present their views about the future of the country. Our Standing Committee seemed a most appropriate forum for this. While stressing that our efforts would be designed entirely to complement the work of the Special Joint Committee on a Renewed Canada, and not in any way to pre-empt or conflict with it, we issued an invitation for submissions throughout the cultural and communications sectors, accompanied by four questions which indicated the focus of our study. This questionnaire, which conveys our terms of reference, is included as Appendix A to this report.

Our Committee met 50 times on the unity issue, consuming more than 118 hours of debate and consideration.

Because we were fortunate to receive compelling testimony from a broad cross-section of cultural and communications interests in Canada, and because of the complex and sensitive nature of the constitutional issues before us, we have chosen to use the words of our witnesses themselves wherever possible to support our text. As a thorough reading of the report will show, the quotations which we have selected are relevant and revealing. We wish to express our sincere appreciation to all of the individuals and groups who appeared before us, sometimes on very short notice, and to thank them for the excellent substance and style of their presentations. We trust they will find that we have reflected their representations in both a considered and considerate manner.

Our Committee was also fortunate to have the services of dedicated and competent staff, particularly in the persons of Mr. Timothy R. Wilson, our Clerk, and two research officials, Mr. René Lemieux from the Library of Parliament, and Mr. John Thera, who was seconded



through the Library of Parliament from the Department of Communications from which he is now retiring after a distinguished career as a senior official there. We wish to express our respect and appreciation for the long hours of work and the very thoughtful and perceptive advice which they have provided throughout our hearings and in the preparation of this report.

## SUBMISSION TO SPECIAL JOINT COMMITTEE ON A RENEWED CANADA

It was our original intention to address the constitutional proposals advanced by the federal government in September 1991 and to report to Parliament in those respects. However, we soon decided that our first priority should be to submit our views to the Special Joint Committee on a Renewed Canada, which had been given the responsibility to examine the constitutional proposals on a broad basis throughout the country, and which had scheduled its own report to Parliament for February 28, 1992. Our mission in this respect was accomplished on February 6, 1992, when we appeared before the Special Joint Committee to make our presentation.

Since the Special Joint Committee has now completed its work, with its report receiving serious consideration across the country, we attach herewith our submission to them, as Appendix B. This was endorsed by a majority of Committee members. In so doing, we wish to make it clear that we are not challenging or debating the conclusions and recommendations advanced by the Special Joint Committee. On the contrary, we fully appreciate the broader context of their mandate and the special terms of reference to which their deliberations were necessarily addressed, and we are satisfied that our submission was appropriately considered by the Special Joint Committee. It was our purpose to contribute to the substance of their considerations and, we hope, to their consensus, by conveying the special focus of the views and recommendations we had heard from representatives of the culture and communications sectors.

In that submission we affirmed our support for recognition of Quebec's distinct society and the important contribution which the French-language culture brings to all of Canadian society. We went on to set out 17 specific recommendations pertaining to the constitutional proposals which were presented to the House of Commons by the Prime Minister on September 24, 1991, in the document entitled *Shaping Canada's Future Together*.

Within those recommendations, we proposed a series of 15 principles or guidelines which, from a cultural and communications point of view, we believe should be the basis for considering and resolving the constitutional proposals, and for the role of government in these sectors. Next, we suggested a functional definition of culture for the purposes of constitutional consideration, recognizing the debatability of that definition when applied to culture in its full context. Having added these two general recommendations at the outset, we then addressed each of the constitutional proposals containing any connotation for culture and communications. Specifically, we addressed proposal 2 (Quebec's distinct society), proposal 4 (aboriginal self-government), proposal 7 (the Canada Clause), proposals 9 and 11 (Senate reform), proposal 14 (the common market clause), proposal 18 (training), proposal 20 (culture) and proposal 21 (broadcasting).



Because of the general terms of reference of our Standing Committee, the last two recommendations were particularly relevant. In the first case, we recommended that national cultural policy be implemented through a *Canada Cultural Accord* as a means of *institutionalizing* federal-provincial relations in this field, rather than *constitutionalizing* them. In the second case, we recommended the continuation of a *single, federal authority* over broadcasting and telecommunications, *with provincial and regional consultation* in the national application of a comprehensive communications policy.

Thus, the main recommendations contained in this report (apart from Appendix B) are addressed to the *future* for culture and communications in Canada, in what we have termed "*fulfilling the promise of the constitution*". They are based on the broad overview of knowledge and information about these sectors which we have gleaned from our hearings. We believe they offer important considerations to the Government of Canada for future policy directions in these essential areas of culture and communications, as our country moves forward to meet the challenge of constitutional renewal.

## CHAPTER ONE: IDENTITY, DIVERSITY, UNITY

Throughout this report, we have endeavoured to emphasize the high priority which culture holds in Canadian society. Indeed, culture is at the very soul of our society, in the sense that it reflects our beliefs and convictions, our way of life and our perception of the world around us. In our cultural activities, we express the diverse values we hold both as individuals and as collective groups.

We have also emphasized the critical worth of our communications systems to Canadian society. In a land so vast as Canada, it is absolutely essential that we develop and apply the most modern communications technology available, in order to share the cultural diversity of our country as fully as possible with every citizen. Culture and communications are pursuits which together express and reflect the Canadian reality.

Early in the report, we identify three special considerations which characterize Canadian society, and which significantly affect our search for constitutional renewal: (i) the natural desire to establish and maintain *identity*, both as individuals and as collective groups of people; (ii) the realities of Canada's profound *diversity*, in cultural, linguistic and geographic terms; and (iii) the goal of political *unity*, in a confederation of ten provinces and two territories, over a vast territory, as a single nation.

At the foundation of our thesis is the belief that the cultural identity of any Canadian need not be threatened by the diversity of Canadian society; nor should that individual's identity be endangered or sacrificed in the renewal of Canada as a unified country. The same holds true for our collective identities, whether as families, communities, provinces or regions. Rather, Canada's cultural diversity should enhance and enrich our potential for cultural growth and identity, both individually and collectively. The opportunities for broad and dynamic cultural development in Canada are unparalleled in any other country of the world.



We do not believe that Canadian unity should imply the submergence of Canada's cultural diversity into a single monolithic entity; nor do we believe that it should ever require the subordination of any one cultural identity to another. Rather, confident that our neighbour's differences are not a threat; believing in what we stand for ourselves; accepting roles by which our own identity will find expression; developing a sense of sharing and of common purpose; offering tolerance and understanding of the differing beliefs and identities around us — we are convinced that Canadians *can succeed* in the mission towards constitutional renewal and national unity, and that *we can do so while preserving our diversity of cultural identity*.

In Chapter One, we also trace briefly the history of Canada's cultural evolution: from its beginning among aboriginal peoples, to the early French communities in Acadia and Quebec, through the major waves of English settlers who arrived about the time of the American Revolution, to the coming of Europeans in the early 20th century and, most recently, the arrival of new Canadians from all parts of the world. We point out that, in fact, Canada was a multicultural and multilingual country long before the Europeans ever arrived, noting that aboriginal peoples were as diverse with respect to language, tradition and history as were the immigrants who settled in this country beside them.

In the midst of this history, it is generally perceived that the concept of Canada's two founding linguistic communities had its beginnings with the passage of the *Quebec Act* by Britain in 1774.

Thus in any country, but particularly in one so rich and diverse as Canada, a dynamic vision of both our cultural heritage and our cultural potential is fundamental to our future development. We believe this cultural vision can best be conceived and expressed through our artists, our cultural industries and our heritage institutions. We further believe that this vision can best be conveyed to all Canadians through our comprehensive network of communications facilities.

The most obvious example of our communications network is the Canadian Broadcasting Corporation (CBC), and we describe its importance to Canada as a national public institution. At the same time, we also acknowledge the vital roles played by private broadcasters such as the CTV organization, by the community cable stations and by our publishing industry as expressed through newspapers, magazines and books. In all respects, our communications services are critical to the cultural development of Canada, and to a sense of pride in and appreciation for our country among its citizens.

In concluding the opening chapter, we again emphasize that the common ground in Canada is diversity. The essence of *belonging* to Canada is to be able to share in its diversity — its geography, its people, its institutions and its rich and varied opportunities to grow. It is simply not necessary, nor desirable, nor indeed even possible to build a national vision for Canada that is based only on our *similarities*. On the contrary, the key to our nationhood is to recognize, to appreciate and to share our *differences*. The key to Canadian unity is to be able to *identify with our diversity*.



## CHAPTER TWO: THE ROLE OF GOVERNMENTS

In Chapter Two, we affirm that, despite the fact that the Fathers of Confederation were silent about culture and communications in the 1867 *Constitution Act*, these matters are indeed legitimate and essential areas of responsibility for all levels of government. In fact, in the context of the current constitutional debate, we believe the case has been demonstrated beyond doubt that culture and communications are compelling issues of government jurisdiction, equal to more conventional areas such as economic development, social policy, education and protection of the environment.

In our view, all governments — municipal, provincial and federal — have vital roles to play in nurturing cultural development and fostering preservation of our heritage. As well, the federal government has a particular responsibility to ensure the continuing development and regulation of comprehensive communications systems so that Canadians may truly know and understand themselves and the world around them.

While the moral and political mandates for culture and communications seem clear, the jurisdictional mandate remains complex, if not obscure. For example, the area of *culture* is primarily within *provincial legislative jurisdiction*, although the *federal spending power* has been a primary moving force in Canada's cultural development. In the area of *communications*, of course, the *federal authority* has been well established, both by legislation and by recent court decisions with respect to broadcasting and telecommunications.

Our Committee believes the federal role in both culture and communications must be maintained and, indeed, strengthened. Through its national institutions such as the Canada Council and the Canadian Broadcasting Corporation, to name but two, the federal government makes an irreplaceable contribution to the cultural life of Canada. Through its taxing authority and spending power, the federal government is able to promote continuing initiatives to help build our cultural industries and to preserve our heritage. Through its primacy in communications, the federal government provides for comprehensive and viable national networks through an efficient single-tier regulatory system.

We trace the history of federal involvement in these matters beginning in the late 19th century, and including the origins of the CBC in 1936 and the creation of the Canada Council in 1957. It would be difficult to imagine the state of culture and communications in Canada today if those two institutions had never been established.

The full extent of federal government involvement in culture and communications can also be measured by its annual expenditure in these sectors, which is now approaching \$3 billion. Clearly, and particularly in these times of constitutional distress, the federal mandate for culture and communications must continue to be at the leading edge of a new movement towards renewal and unification in Canada.

The provinces and municipalities have long been active in heritage preservation and library development in Canada. More recently, especially since the 1960s, an increasing number of provinces have established cultural ministries and have taken on increased



responsibilities for support of the arts and cultural industries. Today, the combined financial commitments of Canadian provinces and municipalities to culture and communications are almost equal to those of the federal government.

There is great resistance throughout the cultural community to any diminution of either federal or provincial support, and most witnesses stress that multi-level sources of funding are essential to ensure variety, spontaneity and freedom of creative cultural expression.

We suggest that the concept of cultural partnerships among all three levels of government is the most practical and effective means for approaching Canada's continuing cultural development. Obviously, these partnerships would essentially be expressed through federal-provincial agreements, which we believe could differ from one province to another, but which we suggest should come together in a national context of inter-dependence and inter-relationship. We propose that these partnership agreements *not be constitutionalized*, but rather *institutionalized* in an innovative and documented framework which we suggest be called a *Canada Cultural Accord*.

The process of developing a *Canada Cultural Accord* would help to define the cultural visions of our country — for each community, for each province and for the nation as a whole. This process would set out the cultural goals that we are seeking to achieve at every level — for example, the scale of artistic training available, or the levels of film production sustainable, or the standards of library service desirable — a process where consultation and consensus would be the keys to development, and cultural accords the means to implementation. Such a *Canada Cultural Accord* would reflect the respective commitments of, and would be guided and administered on a continuing basis by, a *Council of Ministers for Cultural Affairs* in Canada.

In concluding Chapter Two, we assert that culture and communications cannot survive in Canada on government support alone. On the contrary, unless Canadians themselves feel the need and have the motivation to invest time and money in the pursuit and support of the arts, the preservation of heritage, and the entrepreneurial businesses of the communications and cultural industries, then no amount of government assistance will be able to create a vibrant Canadian culture.

We recognize the impressive contributions traditionally made by so many private interests to the support of cultural and communications activity in Canada, and we point out that Canada's artists themselves are among the greatest patrons of the arts in this country. By virtue of under-payment or non-payment for their work, the cultural development of Canada is financed to a significant extent by the sacrifices that our artists are frequently required to make in the pursuit of their own careers. Another vital area of private support comes from the millions of citizens who volunteer their services to work in cultural activities. They comprise the live audiences for artistic performances which, in recent years, have grown to an annual total of almost fourteen million.

We point out that government has a special role to play in encouraging and attracting private support and investment for cultural development in Canada. We note the reality that in the past ten years, for example, as a percentage of the total funding for professional performing



arts, the government proportion has actually decreased from approximately 38 percent to 32 percent, while private support has increased from about 12 percent to 14 percent. Also significant, and somewhat sobering to note, is that in current recessionary circumstances all sources of funding for culture have been cut back and *are not keeping pace with inflation*.

At a time when the impact of culture on the spirit of our nation has never been more important, Canadian culture is facing seriously declining support from most directions. Clearly, therefore, the roles for governments are compelling ones, not only in terms of the need for direct promotion and support of culture and communications, but also in terms of the need to stimulate and motivate increased involvement and sponsorship from the private sector.

### CHAPTER THREE: FULFILLING THE CONSTITUTIONAL PROMISE

In this final section of the report, we address future policy areas for culture and communications, particularly the role of the federal government in fulfilling the constitutional promise for Canada. We begin by emphasizing the cultural substance of our country's affairs, in balance with the high-technology demands of our communications systems, and we recommend a strengthened focus for *culture* in the mandate of the federal ministry involved, re-naming it the *Department of Culture and Communications*. We believe that such a change, while perhaps nominal, will extend recognition to the pre-eminent place of culture in our Canadian society and express in a symbolic way the role that the federal government has in promoting and supporting cultural development.

We propose a series of 16 recommendations, most of which are broad in nature, but which are intended to point in important directions for the future development of culture and communications policies and programs by the Government of Canada.

Throughout our hearings, there were strong calls from witnesses for policy development by the federal government in both culture and communications. Therefore, we have recommended *a comprehensive policy structure with two specific pillars — a Canadian Cultural Policy*, which would include components for the arts and artists, for cultural industries and for heritage preservation; and *a Canadian Communications Policy*, which would include broadcasting transmission and telecommunications. We believe that adoption of such a policy planning framework will help the federal government set its priorities and rationalize its decisions. Moreover, it would help to portray long term directions and to develop understanding about federal goals and objectives among provincial governments and non-governmental organizations.

We also recommend that policy development be guided by principles that recognize the creative role of the artist and the priority for standards of excellence in programming and production. We further recommend that broad goals be adopted for increased awareness and access, equitable participation in employment, policy integration with other federal departments, international outreach and the potential for partnership with other governments and the private sector.



We advance a specific recommendation for the federal government to lead in the development of a *Canada Cultural Accord*, institutionalizing collaboration among governments in efforts to promote and support the cultural aspirations of all Canadians.

Our Committee believes that culture and communications are truly growth industries. We were alarmed by evidence that Canada's investment in cultural affairs has been diminishing in real terms over recent years. Given the cultural malaise which appears at the root of many of our country's constitutional conflicts, we believe that serious consideration must soon be given to a quantum move forward in the level of federal budget investments in culture and communications.

While we have acknowledged the important policies of fiscal restraint which presently prevail upon the federal government, we feel a responsible need to state the case for increased investment in culture and communications in coming years. It has been difficult to identify and justify a specific new threshold for increased funding, so we have settled on a *target level of five percent annually over five years* as the order of magnitude we are recommending for government consideration.

In making this recommendation, it is our intention that the dollar amounts proposed *pertain to all forms of financial investment* in culture and communications, including incentives, tax credits and deductions, departmental increases in grants and contributions and other policy initiatives of a financial nature. Several of our subsequent recommendations also fall within the scope of this increased funding proposal.

We stress the importance of encouraging and motivating high levels of philanthropy and volunteerism within the private sector, and the need for government action to help promote a national spirit of cultural awareness with measures analogous to those which have been so successful in Canada's *ParticipAction Program* for physical fitness.

In separate recommendations, we underline the importance of some of Canada's major national institutions such as the Canada Council, Telefilm, the National Library and the Canadian Broadcasting Corporation. With the Canada Council now engaged in a significant expansion of its mandate to include the Social Sciences and Humanities Research Council, as well as the cultural outreach programs of the Department of External Affairs around the world, we think it is an appropriate time to review the council's mandate generally, with a view to strengthening its role and improving funding levels to be consistent and compatible with its mission.

In the case of the CBC, we feel that the time is overdue for providing it with a stable and predictable five-year funding program, revolving annually, and also a limited borrowing authority to ensure flexibility in management of its financial affairs. As well, we have proposed that the CBC continue to manage the production and delivery of programs for Radio Canada International, but that RCI funding remain the responsibility of the Department of External Affairs. We share the view of witnesses that RCI Services should be reviewed and evaluated in the context of Canada's international trade and diplomatic projections.



We acknowledge the recent introduction of Bill C-7, the *Status of the Artist Act* and Bill C-62, the *Telecommunications Act*. These Bills address two components of the policy development structure that we recommend. We anticipate their consideration and debate both within our Committee and in Parliament.

Other areas of urgency for federal government policy, legislative or program action, include increased recognition of the rights of artists to be fairly compensated for their creative works, and we have called for amendments to the *Copyright Act* in this regard. As well, we recommend an industrial strategy to emphasize programming excellence in Canadian film and video production, together with initiatives designed to market and distribute Canadian cultural products more successfully within Canada and abroad. We suggest further strategic policy planning to strengthen Canada's publishing industries, and to complement recent initiatives taken by the Minister of Communications in support of this sector.

Finally, we have addressed the need for a comprehensive federal heritage strategy which would help to promote and preserve those common denominators of history and heritage which in themselves contain so much potential to join Canadians together. We have suggested an arrangement which would bring the principles of *arm's length* and *peer review* more fully to heritage preservation, perhaps as an extension of Canada Council activities. We further suggest a program to preserve on tapes and in films appropriate representations of Canada's audio-visual and performing arts heritage. We were reminded of the deterioration which is occurring with respect to library materials, and suggest that measures be introduced to enhance the production and use of stable alkaline paper. We emphasize the importance of immovable heritage properties, and the need to encourage their preservation and restoration.

## CONCLUSION: THE TIES THAT BIND

Throughout our report, we have quoted widely from our witnesses. In carefully choosing the quotations, and in the accompanying text and recommendations, we have tried to convey the message and the theme expressed in the title of our report. Culture and communications are fundamental investments that will help to achieve renewal of our sense of pride and unity as a nation. We sincerely believe that, in both resolving the constitutional crisis which now confronts us and fulfilling the distinctive constitutional promise which lies before us, *culture and communications will truly prove to be, "the ties that bind"!*







## RECOMMENDATIONS

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**RECOMMENDATION No. 1** — The Committee recommends that, in recognition of and support for cultural imperatives in Canada, the Government of Canada introduce amendments to the *Department of Communications Act* to change the name of the Department to the Department of Culture and Communications; further, that such amendments fully reflect the cultural mandate and responsibilities of that Department.

**RECOMMENDATION No. 2** — The Committee recommends that the Government of Canada address policy development in culture and communications within a comprehensive structure comprising:

A) a Canadian Cultural Policy, consisting of:

- (i) a component for the arts and artists, including the performing, visual and literary arts, as well as crafts;
- (ii) a component for cultural industries, including broadcast programming, film and video production, sound recording, and publishing; and
- (iii) a component for heritage preservation, including galleries, museums, historic sites and buildings, libraries and archives;

B) a Canadian Communications Policy, consisting of:

- (i) a broadcasting transmission component, including radio, television, cable and satellites; and
- (ii) a telecommunications component, including telephone service, telecopying, teleconferencing, direct data transmission and satellite communications.

**RECOMMENDATION No. 3** — The Committee recommends that, in guiding policy development in culture and communications, the Government of Canada should:

- (i) recognize the creative role of the artist;
- (ii) recognize a priority for standards of excellence in programming and production;
- (iii) encourage citizen awareness of, and access to, Canadian cultural and communications products and services;



- (iv) encourage equitable participation by, and reflection of, aboriginal peoples, cultural minorities and women in culture and communications programming and employment;
- (v) encourage integrated policy planning among all federal departments to ensure that they are aware of their responsibilities with respect to culture and communications;
- (vi) encourage international development of Canadian culture and communications; and
- (vii) encourage partnerships with other levels of government, the private sector, and Canada's cultural and communications communities.

**RECOMMENDATION No. 4** — The Committee recommends that, to enhance intergovernmental collaboration in combined efforts to fulfil the cultural aspirations of all Canadians, the Government of Canada take a leading initiative with Ministers of Culture and Communications to develop over time a documented framework for planning and action among all levels of government to be institutionalized as a Canada Cultural Accord.

**RECOMMENDATION No. 5** — The Committee recommends that, as an investment in the future of our Canadian society and in support of the growth potential of cultural industries, both domestically and internationally, the Government of Canada target an increase in its current budget investments in culture and communications in the order of five percent annually over the next five years.

**RECOMMENDATION No. 6** — The Committee recommends that the Government of Canada initiate a comprehensive strategy of incentives to encourage and motivate high levels of philanthropy and volunteerism in support of cultural activities in Canada.

**RECOMMENDATION No. 7** — The Committee recommends that the Government of Canada initiate and co-sponsor, with other levels of government and the private sector, a national campaign to promote increased public knowledge and awareness of, and participation and pride in, Canada's diverse cultural values and activities.

**RECOMMENDATION No. 8** — The Committee recommends that the Government of Canada review the mandate of the Canada Council, with a view to strengthening its role in support of Canadian cultural objectives; further, that federal funding for the Canada Council be made consistent with its mandate.



**RECOMMENDATION No. 9** — The Committee recommends that, in recognition of the rights of artists to be fairly compensated for the use of their creative works, the Government of Canada introduce measures, including amendments to the *Copyright Act*, that provide an equitable balance between the interests of artists and the users of their works.

**RECOMMENDATION No. 10** — The Committee recommends that, in recognition of the priority for standards of excellence in programming and production, and the need for innovative marketing of Canadian cultural products and services, the Government of Canada introduce an industrial strategy to attract investment in Canada's cultural industries, and to include such considerations as an investment tax credit like that proposed by the Canadian Film and Television Production Association.

**RECOMMENDATION No. 11** — The Committee recommends that the Government of Canada introduce legislation to improve distribution and access for Canadian films to the Canadian domestic market.

**RECOMMENDATION No. 12** — The Committee acknowledges the recent initiatives announced by the Minister of Communications in support of the book publishing industry; we further recommend that these measures be included in the formulation of a comprehensive strategy to strengthen publishing industries, including a review of the burdens of postage and the Goods and Services Tax to reading materials of a training and educational nature.

**RECOMMENDATION No. 13** — The Committee recommends that the Government of Canada proceed immediately with development of a comprehensive federal heritage strategy, to include:

- (i) an arrangement to administer federal support for heritage preservation activities through the Canada Council or a National Heritage Council;
- (ii) a program to preserve Canada's audio-visual and performing arts heritage;
- (iii) measures to promote the production and use of stable alkaline paper for heritage purposes in Canada; and
- (iv) measures to encourage the preservation and restoration of heritage properties.

**RECOMMENDATION No. 14** — The Committee recommends that the Government of Canada review the statutory mandate of the National Library with a view to strengthening its role in fulfilling national information objectives; further, that the legal deposit provisions of the *National Library Act* be amended immediately to minimize costs of acquiring new library materials.



**RECOMMENDATION No. 15 —** The Committee recommends that the Government of Canada provide the Canadian Broadcasting Corporation with a stable and predictable five-year funding program, revolving annually; further, that the CBC statutory mandate be amended to provide a limited borrowing authority for reasonable flexibility in financial management of its affairs.

**RECOMMENDATION No. 16 —** The Committee recommends that, in recognition of international objectives in trade and culture, the Government of Canada review the mandate of Radio Canada International (RCI) with a view to clarifying and strengthening its future role in projecting Canada's image and interests through international broadcasting; further, we recommend that funding for RCI remain the responsibility of the Department of External Affairs, with the Canadian Broadcasting Corporation providing programming, production and delivery.



# CHAPTER ONE

## CULTURE AND COMMUNICATIONS: THE TIES THAT BIND

## Identity, Diversity, Unity

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### INTRODUCTION

In this report, we want to establish the relationship between *cultural identity*, *cultural diversity* and *political unity*, and the role that *communications systems* play in this process. While there are many definitions of culture, we have adopted a broad definition which embraces a collective way of thinking, feeling and doing, a collective way of being. The sum of the cultural values or cultural identities of the *individuals* in a community, society or country, can be considered as the *collective culture* of that community, society or country. The cultural values and identities of *individuals* are dynamic, in constant evolution. This also applies *collectively* at the level of a community, society or country.

Communications systems, defined broadly to include telecommunications, broadcasting, the print media, films and sound recordings, enable individuals to *exchange and share* their cultural values and identities with others. Using a McLuhan analogy, the communications system (the medium) facilitates the exchange (the message). It is through this process of exchange that we are made aware of and able to share in the diverse cultural values and identities to be found in Canada. In the final analysis, political unity, can be best achieved if communications are facilitated and the exchange encouraged in a spirit of mutual respect and tolerance.

### 1A. BUILDING UNITY: PRESERVING IDENTITY

*National identity, like the individual's identity is made up of many overlapping and inter-locking parts. Family, neighbourhood, and community connection; local, regional, and national interests; the personal and the political, the public and the private. These elements are not mutually exclusive. They are mutually affirming and supporting. The resonances vary and shift, but together they create circles of shared images and stories out of which identity emerges. — Writers' Union of Canada, Brief, October 31, 1991, p. 4.*

Culture reflects a country's values — and cultural activities are the means by which these values are nourished and expressed. Our purpose here is to consider the broad parameters of Canada's culture in its distinctive forms, while at the same time examining the many ways it is expressed in everyday life throughout Canadian society. We wish to look at all aspects of



culture, the implications of which contribute to and reflect the distinctive character of our nation. Culture is a way of being, thinking and feeling. As a driving force in society, it unites individuals by language, custom, habit and experience. Culture is also a way of life, composed of many elements which influence our thoughts, our feelings and our creativity. Every culture enriches other cultures with which it comes into contact.

For our purposes, cultural activities are the creative elements of our existence — expressions of who we are, where we come from, and where we wish to go. In pursuing them, we enhance and build on the foundations of our identity, both as individuals and as communities. As we strive to give expression through cultural activities, we do indeed create and strengthen our cultural foundation.

As individuals, we seek to know ourselves. As families, we seek to share with others. As a neighbourhood, community, province, region, or country, we reach out to share in common cause, while striving to ensure that our individual sense of identity is not lost along the way.

For Canadians, the expression of identity is a cultural act. Through our interests, likes and dislikes, convictions and skills, each one of us reflects and shares our individual cultural identities. This process of sharing forms our collective identity, our national culture. In this way, we build neighbourhoods, communities, provinces and a country. Indeed, the measure of a civilized society is the ability of its peoples to develop a strong sense of national cultural identity, while preserving and nourishing individual cultural values.

*...most people can live and reconcile a number of identities at the same time, just as they can manage to belong to a number of groups, which is the same thing. It also became clear that the notion of identity is not static, but on the contrary profoundly dynamic. In addition, it evolves constantly. It responds, evidently, to human needs... It is useful to ask if the same is true of a nation, and if so — and here I ask the question, whether national unity can be achieved when a number of regional identities already exist? — Jean-Pierre Hogue, M.P., Member of the Standing Committee on Communications and Culture (Issue 28:7).*

In Canada, our governments have adopted principles and policies that are distinctive in the world, and we have recognized diversity as the essence of our national being. We have chosen to cherish our diversity, not to diminish it. Although Canada is still a relatively young nation, its culture is rich and diverse. The challenge facing us today is to forge a collective view of the country — one that takes into account *all* of its parts but is even *larger than the sum of its parts*.

National unity does not imply the submergence of diversity into one homogeneous entity, nor does it imply the subordination of one cultural group to another. Believing that our neighbour's differences are not a threat, believing in what we stand for, agreeing to be a part of the neighbourhood within which our own identity will find free expression, establishing a sense of sharing and of common purpose, being tolerant of the beliefs and identities of those around us — these are all expressions of mutual understanding and represent steps toward *national*



*unity*. That is the basis on which all cultural groups will support and sustain a national purpose. National unity gives to each constituent entity something it would not otherwise possess alone, thus creating a harmonious whole which is greater than merely the sum of its components.

When we speak of Canadian or national unity, we are referring to the political union of Canada under one constitution. That is why it is important to stress that identity and unity are not synonymous. In fact, it would be difficult to imagine a homogeneous Canadian identity. The reality of Canada is that the main common identity is a rich and shared diversity!

The exchange of our cultural values and identities is linked to the dynamic state of culture, a culture in constant evolution. Sharing our identities and values makes each one of us richer in the end.

*...the only valid unity is the unity of the mind, rather than the unity of structures. Structures follow people's minds. We have to begin with mutual respect, the desire to listen to one another, and perhaps a common exploration of common values, and if, accidentally, as an afterthought, we decide to organize structures to prop up those values, so much the better. ...the unity of people's minds willingly accepts the existence of different identities, different personalities within a single community.* — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications (Issue 15:18).

The embrace and celebration of Canada's diversity would allow us as a nation to attain our optimum cultural creativity, and would sustain our integrity as a unified country, distinctive among the nations of the world.

Recent survey data indicate that 88.5 percent of Canadians polled agree with the statement that, "artists make a major contribution to our society". Similarly, 77.3 percent of Canadians polled believe that "the arts in Canada are important because they are one of the things that help to make us unique and different from other countries". Perhaps more importantly, 91 percent of Canadians surveyed also agree that "it is important to expose children to the arts". Canadians also appreciate exposure to their heritage, with 84.5 percent of those asked feeling that "museums and galleries make a community a better place to live". (Source: Department of Communications, Canadian Arts Consumers Profile, 1991, preliminary data.)

## 1B. CULTURE: THE SOUL OF SOCIETY

*Canada's culture is a reflection of the many facets of its people's taste, its social structure, its daily life, its customs and its development, ...and a reflection of the principal challenges that face the Canadian people as a society.* — Pierre DesRoches, Executive Director, Telefilm Canada (Issue 20:5).

The UNESCO definition of culture includes architecture, the arts, crafts, design, heritage, multiculturalism, native culture, parks and recreation, religion, sports and urban design.



In 1979, the Task Force on Canadian Unity offered two separate definitions of culture:

*In day-to-day usage, culture is often considered to be the intellectual and artistic aspect of life in a community or society*

...and a broader meaning related to the character of a whole community:

*In this context, culture may be defined as the sum of the characteristics of a community acquired through education, training and social experience. It includes knowledge in all fields, language, traditions and values. It adds up to a collective way of thinking, feeling and doing, a collective way of being. The Task Force on Canadian Unity, Ottawa, 1979, p. 4, *Coming to Terms: The Words of the Debate*.*

One witness quoted another definition of culture from the works of the late Northrop Frye:

*First, there is culture as a lifestyle, shown by the way a society eats, drinks, clothes itself, and carries on its normal social rituals. ...Second, there is culture as a shared heritage of historical memories and customs, carried out mainly through a common language. Third, there is culture in the shape of what is genuinely created in its society; its literature, music, architecture, science, scholarship and applied arts. — Northrop Frye, quoted by Shirley Thomson, Director, National Gallery of Canada (Issue 5:7).*

It is important to note the reference to a common language in this definition, a reference which touches on Canada's distinctive policy of two official languages. There can be no doubt that our linguistic duality makes national cultural development in Canada more complex, but it also makes it more challenging and enriching. The distinction which our two official languages bring to our nation will always be part of the discussion of culture and the Constitution. They will, therefore, always require our most sensitive consideration. It is in a spirit of respect, tolerance and mutual understanding that Canadians will resolve and reconcile their differences, and enhance the building of their nation.

Another way of looking at culture is to make the distinction between *traditional culture*, and *popular culture*. As one witness put it:

*...popular culture is what is binding people together within national boundaries. The older forms of academic culture tend to reinforce the traditions and histories, but popular culture is that unifying force. — George MacDonald, Director, Canadian Museum of Civilization (Issue 7:14).*

Yet another way of looking at culture is through the cultural policy traditions of both our French-speaking and English-speaking ancestors. It is held that in the French tradition, support for art and culture was considered to be a legitimate role for the state, whereas this view was not so prevalent in the English tradition. Yet, in Canada it is the federal government (patterned to a large extent on the English parliamentary tradition) that is credited with setting the stage for cultural support.



Our policies for culture in Canada must be concerned with both traditional and popular culture. In the traditional sense, for example, our museums portray our heritage, our collective memory, perhaps the strongest of all bonds in contemporary Canadian society. In contrast, the modern expression of our culture is in more popular forms, through music, books and magazines, theatre, film and television productions and, of course, through sporting events such as hockey and baseball, or the Olympic Games.

## 1C. CANADA'S CULTURAL COMMUNITIES

Our Committee suggests there are four main cultural communities in Canada, each of which contributes to the expression of our national identity. They are Canadians of English-speaking origin, Canadians of French-speaking origin, aboriginal peoples and, finally, Canadians of other varied ethnic backgrounds. As we have said, these distinctions should not be cause for concern, but rather for celebration.

This view is seen somewhat differently by others. For example, the *Fédération des communautés francophones et acadiennes du Canada* perceives ethnocultural groups as belonging within the first three communities:

*The three national communities are the francophone community, the anglophone community and the aboriginal community. We see multiculturalism within the context of those communities. All three are pluralistic because they comprise people from all over who have made Canada what it is today.*

*I think the word "symbiosis" would best describe what I am referring to here. It is through a symbiosis of these three main communities that Canada will be able to distinguish itself as unique on the world scene, just as it has done in the past and will, we hope, continue to do so in the future. — Marc Godbout, Executive Director, Fédération des communautés francophones et acadiennes du Canada (Issue 33:44).*

Canadians of English-speaking origin are not a homogeneous mass; they arrived in Canada in three major waves of settlement. First, following the military battles in Quebec in 1763, there was a wave of Anglo-Scottish settlement by both the military and business classes. Within 20 years the Loyalists, Americans of English, Scottish and Irish descent who could not accept the Revolution, came to Canada so as to remain loyal to the Crown. Then, in the 1840s and 1850s, there was a wave of Irish fleeing the potato famine. In each wave, there was also a smaller settlement by the Welsh. While they all used a common tongue, these Irish, English, Scottish and Welsh settlers brought with them pronounced cultural differences. Today, their cultural identities are reflected in many distinctive ways throughout our country.

These groups of settlers may have had different motives to leave their country of origin, but they shared in common the desire to preserve their language, cultures and allegiance to the Crown. English-speaking Canadians today share a common language with their more



numerous neighbours to the South, thereby facilitating the exchange of cultural values and identities between them. This exchange is made easier through the physical proximity of the two countries, and the ready availability of radio and television signals serving both nations.

In many areas of our cultural life, the predominant flow of cultural products and entertainment from south to north is a threat to the continued existence of the cultural values and identities of English-speaking Canadians. Some surveys have shown that Canadians and Americans still hold considerably different values, but in the view of many Canadians, the American influence constitutes a threat to our cultural sovereignty.

The challenge therefore is to invest our resources wisely and well in the development of Canadian talent, the production of Canadian programs, and the distribution of cultural products to as many Canadians as possible. If there was one point of unanimity among the witnesses appearing before us, it was that our priority must be to pursue *Canadian programming excellence*, and not to attempt to shield ourselves from American cultural intrusion, even if that were technologically possible.

While not so diverse in their origins, French-speaking Canadians date back to the settlements in Acadia and Quebec in 1604 and 1608 respectively. The cultural legacy of a four-hundred-year history and of settlements which reached as far south as Louisiana was held strongly together by one purpose: *to survive*. From its widely separated locations, *the will* of the French-speaking community in North America to survive has evolved by necessity into a cultural awakening primarily concentrated in Quebec, the only province where the *majority* of citizens continue to speak French. It is generally perceived that, with the passage of the *Quebec Act* by Britain in 1774, the distinct society was recognized in Quebec because that legislation did three important things: (i) it permitted the use of the French language, (ii) it guaranteed religious and cultural freedom and, (iii) it provided for the civil code of law. It could be said that the modern reality of Canada's two founding linguistic communities actually had its birth at that time.

Without doubt, a distinguishing feature of the Canadian reality is the strong and vibrant French-language culture within it. Not enough Canadians, in our view, yet recognize or appreciate the deeply enriching perspective which this culture adds to our national identity. Unquestionably, when considered as a whole, Canada is a distinct society as compared to the United States, partly because of its distinct French-language culture. In the view of the Committee and certainly in the cultural context, there should be no question or concern about the distinct society in Quebec; it is there. We should all share and take pride in it.

While it is true that Canada's French-language culture is centered in Quebec, it is not limited to that province, and this fact merits very important consideration. Its presence extends to all corners of Canada, from the Acadian community of New Brunswick to communities in all the other provinces, and includes more than one million French-speaking citizens living across the country. From the perspective of its culture alone, our French-speaking society needs and deserves specific recognition and appreciation for its unique and distinctive contribution to the Canadian scene — concentrated in Quebec, certainly, but extended all across the nation.



Conversely, but equally important, cultural development and expression within Quebec must also provide for its English-speaking citizens, its native peoples and its multicultural communities. Minority languages and cultural rights must be a commitment in every part of Canada.

The preservation and, indeed, the growth of the French culture in Canada should continue to be a priority for the Government of Canada. Not only does it bring distinction to all, but we must recognize that in the larger English-speaking world of North America, our French-Canadian culture is at risk of assimilation and absorption by the overwhelming majority of competing cultural influences. Therefore, our Committee feels it is imperative, and entirely in the interests of national unity, that the cultural integrity of French-speaking Canadians be nourished and developed for its own sake, as well as for the fundamental contribution it makes to Canadian life.

Canada was a multicultural and multilingual country long before the Europeans arrived. The aboriginal peoples are in fact as diverse with respect to language, tradition and history as the people who were part of the modern waves of immigration. The rich and varied cultural life of the aboriginal peoples is a reflection of their migrations, their exchanges between settlements and of their fight for survival against the elements.

*The survival of the First Nations as unique and distinct peoples in this land is intimately linked to our heritage. Even after untold assaults on our cultures, we survive in Canada today. We survive because, unlike European-based societies, our people draw our identity from a cultural collective... While our communities may be dispersed across the country and our cultures varied, aboriginal people share common spiritual beliefs and values. These things have sustained us. — National Association of Cultural Education Centres, Brief, p. 2.*

While other Canadians can take cultural comfort in the knowledge of their origins and can even access those sources for inspiration, aboriginal peoples must depend on their own native heritage:

*The aboriginal cultures of Canada have no other homeland. If they do not survive in this country, there is not opportunity for renewal elsewhere. — Ibid., p. 6.*

Cultural values have always played a central role in the survival of aboriginal peoples. These values are also what define Canada's first peoples:

*As dedicated producers of Inuktitut language television programming, we consider ourselves to be both Inuit and Canadian; as aboriginal peoples, we are the first Canadians. Traditionally, the Inuit values of sharing, equality, co-operation and respect were essential for the survival of the group. Today, we recognize that these values play a key role in our continued survival. Canadians across the country recognize that these same values are what define us all as Canadians and set us apart from any other country. — Inuit Broadcasting Corporation, Brief, p. 2.*



Cultural values held by our aboriginal peoples continue to emphasize the importance of living in harmony with nature, the benefits of close community life, and the fundamental meanings of inter-dependence, understanding and trust. The Committee feels that Canadians of every origin have much to learn from these cultural values, particularly as they relate to sustaining relationships between people, their traditions and natural environment.

As the concept of native self-government is developed, the fostering of cultural expression must be a priority in the process. Aboriginal peoples have the right to shape their own identity, to convey it into the larger vision of Canada as a whole, to use and develop their creative talents, to know themselves, to share their values with all Canadians and to take pride in their contribution to this great country.

*When young native people receive awards, they have tremendous pride. The parents have pride. The community has pride. ...It [the arts] does a tremendous amount of good for self-esteem, for pride, for promoting identity in a peaceful, positive manner, for creating economic viability for its peoples. Artistic development is one of the few things you can do, and still live in your community. — John Kim Bell, National Director, Canadian Native Arts Foundation (Issue 15:37).*

Although the precise meaning and application of inherent self-government in Canada remains to be defined at this point in our history, it is essential that governments and leaders who are developing these directions be aware of the cultural component of aboriginal life in Canada. Otherwise, constitutional clauses will be nothing more than empty words, and there will be no special life or reality to the concept of a separate aboriginal society and culture within a unified Canada.

Over the years, Canada has become an increasingly pluralistic society, with its citizens coming from various parts of the world. To accommodate this new reality within Canadian society, the government passed the *Canadian Multiculturalism Act* and implemented a multicultural policy which encourages the retention and, indeed, the celebration of our ethnocultural heritage. This plurality of distinctive cultural backgrounds complements and parallels the other three main communities of Canadian culture — English-language, French-language and aboriginal.

*Canadian culture is a unique culture which is the product of our history. It has the proud and rich cultures of the Aboriginal peoples (First Nations, Inuit and Metis), the strong influence of Anglo-Saxon and French languages and cultures, and the significant presence and contribution of many other cultural groups who have migrated here ever since the first Europeans (began) to arrive.*

*By its very nature, Canadian culture has been, and is constantly evolving... "the evolving mainstream". — Canadian Ethnocultural Council, Brief, p. 3.*

Upon examination, Canada's multicultural approach can be seen as an enlightened extension of the freedom of cultural expression — a freedom that has long been characteristic of this nation. Understanding and respect for differing and diverse cultures, cultural groups and cultural origins are part of the dynamic vision which Canadians share.



There are some strong and divergent feelings about Canadian multiculturalism. Our Committee generally agrees with the views expressed by these witnesses:

*Canada is perceived as the prototype of the first multicultural nations... I think the whole world is watching us from that perspective...*

*In the past, Canada has examined the American model of the melting-pot culture. The problem is, that when you melt down traditional cultural identities, you often melt down the whole concept of cooperative society.*  
— George MacDonald, Director, Canadian Museum of Civilization (Issue 7:7, 18).

*...78 percent of Canadians believe that multiculturalism enriches Canadian culture. Despite the rising voices of the critics of the Multiculturalism Policy, support for this very Canadian ideal remains high. A significant majority see multiculturalism as an enriching factor in our society. They also understand this to be a policy and an ideal that is aimed at respect and tolerance, at sharing and exchanging, and at integrating and building the Canadian identity.* — Canadian Ethnocultural Council, Brief, p. 2.

Other perspectives, while advanced with the best of intent and intellectual integrity, were nonetheless dramatically different, and saw multiculturalism as a detriment to Canadian cultural development at best, and an obstruction to it at worst:

*...it is quite possible to come here as an immigrant now, and never get a lick of the Canadian experience. ... You really don't have to participate in Canadian culture. You can live here for years without doing so.* — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:30).

*... untold millions of dollars are being invested to encourage countless new Canadians to turn back to their native backgrounds and traditions — traditions of a country they have left behind to start a new life in Canada. In my opinion, it is a policy that asks them to turn their backs on the concept of a shared Canadian identity, a policy that says embrace your past, but not your present or future. ... I would say that multiculturalism is a relic of the past that should be cast aside in order to support the principle of one vision and one Canada.* — Brian Robertson, President, Canadian Recording Industry Association (Issue 4:5).

The Committee clearly subscribes to a more enlightened approach to a free society. There are many cultural groups in Canada who hold dearly to a strong sense of identity by maintaining their own linguistic and cultural heritage. They do so without compromising national unity in any way. While it is true that Canada has not always shown the greatest respect for its ethnocultural groups (as shown by the internment of Japanese Canadians during World War II), we believe that Canada has learned to be more compassionate and trust that such tragedies will never be repeated. In our view, diversity within unity, hospitality, openness, respect and tolerance, and the promotion of a sense of belonging, are the foundations of the modern Canada.



*Multiculturalism does not mean celebrating the fact that we are different from each other and have differences, but rather celebrating the fact that we can be comfortable with our difference and yet live together in a harmonious manner. — Canadian Ethnocultural Council, Brief, p. 6.*

Noting the profound cultural distinctions within Canada, it is appropriate to remind ourselves of one particular principle on which current constitutional proposals are based:

*Being Canadian does not require that we all be alike. Around a core set of shared values, Canadian citizenship accommodates a respect for diversity that enriches us all. — Shaping Canada's Future Together: Proposals, p. 1, 1991.*

## 1D. COMMUNICATIONS: THE CULTURAL CONNECTION

*We are a vehicle for Canadians to express, celebrate and communicate the hopes, aspirations and accomplishments of Canadians, to Canadians. We facilitate, in the best sense of the word, the sharing of the Canadian identity. Over one hundred years ago, this country was bound together by ribbons of steel, but in our technological age, it is programming transmitted by wires, fibres and satellites that binds the fabric of Canadians from coast to coast. — Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:34).*

In its discussion of communications, the Committee is very much aware that a distinction should be made between *programming content* (on television, radio and cable television, and in books, magazines, newspapers, films, video, sound recordings, museums, archives and libraries), and the means of its *transmission*. In any country, but particularly in so vast a land as Canada, delivery of the cultural message is every bit as vital as the creation of it.

In fact, in many circumstances, *the cultural message is both created and delivered* by Canada's communications systems. It is in the pursuit of *programming excellence*, for example, that such national institutions as the Canadian Broadcasting Corporation, the National Arts Centre and the National Film Board serve Canada by both creating and delivering cultural content.

*... we've demonstrated here that the quality is there... — among Canadian artists... that the development of many of those skills owes a tremendous amount to the work of CBC/Radio Canada over the years. ... there probably would be very few symphony orchestras, for example, in this country... without the support to music that the CBC has provided over the years. — Patrick Watson, Chairman, Canadian Broadcasting Corporation (Issue 12:18).*

It is in this context, in both private and public organizations, that the real investment must be made to encourage Canadian cultural excellence. Here too, public policies and a continued strong national presence in broadcasting and telecommunications are needed to ensure the distribution of Canadian content to Canadians.



In response to the challenges of keeping a relatively small population in touch with itself over a huge and rugged geography, Canadians have always placed a high priority on communications. As a result, our cable television, telephone and microwave systems, broadcasting networks, domestic satellites and other computer-age communications services have made us world leaders in these aspects of high technology. Notwithstanding the tremendous achievements already in place, the technological revolution in communications is proceeding rapidly across the world, and is making McLuhan's "global village" a reality. Our communications systems will continue to change radically in the years to come. A research report prepared for this Committee stated it this way:

*Traditionally, public communications transmission has involved either broadcast technology (through the airwaves from a single transmitter to many receivers) or telecommunications (point-to-point communications).*

*In the past decade or two, however, a technological revolution has occurred which makes it increasingly difficult to separate means of transmission. Telecommunications companies have taken advantage of the airwaves by using microwave and satellite systems to improve point-to-point communications, while at the same time broadcasting companies have enlarged their audiences through local cable television networks.*

*As a result of these trends, the difference between "broadcasting" and "telecommunications" has become less one of technology, and more one of purpose. — Mollie Dunsmuir, Culture and Communications: The Constitutional Setting, Research Branch, Library of Parliament, September 10, 1991, p. 3.*

In a humorous, yet serious vein, Keith Spicer, Chairman of the CRTC, made this counter-point to high technology, and this analogy to the close relationship between communications and culture:

*We actually had a province I will not name that advanced to us the idea that it did not want a telephone in every house because the party line was part of their culture. — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications (Issue 15:21).*

The principal media of communications in Canada are well known. It is debatable which takes the lead in cultural terms. Certainly, television is very powerful (the networks of Canadian Broadcasting Corporation, TVA and CTV, private stations, cable television and specialty channels). Virtually all Canadians — 97 percent of us — watch television at least once a week. Ninety-five percent of Canadians listen to radio, 98 percent of Canadian homes have a telephone and over 60 percent of Canadian homes subscribe to cable television. Canadian daily and weekly newspapers have major impact, Canadian books and magazines reach a wide audience, and Canadian films are winning international awards. The prestigious Canadian companies that are leaders in the world telecommunications industry continue to develop wider and more sophisticated capabilities. The communications process can also be said to include the recording industry, and even the network of Canadian museums and art galleries.



*It is through telecommunications contact... that most Canadians learn of events and conditions across our country and across the world. They thus have an opportunity to be aware of and to take pride in the accomplishments of their own country and countrymen. — Eldon Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:31).*

*You must understand... that generally the vast majority of our young people are not reading *The Globe and Mail*, or watching *The Journal*, or listening to the Canadian Broadcasting Corporation news; they are listening to music. Music is a great communicator. — Brian Robertson, President, Canadian Recording Industry Association (Issue 4:5).*

*In order to build a future on a firm foundation, it is essential to remember and learn from the past and the present. Museums are one of the principal memory banks of cultural heritage. But memory alone is not enough to create cultural consciousness. It is also necessary to be able to communicate knowledge to Canadians, nation-wide. — George MacDonald, Director, Canadian Museum of Civilization (Issue 7:6).*

### **The Canadian Broadcasting Corporation**

Of all our communications vehicles, there is little doubt that the CBC has made the most significant contribution to the development of the arts, through both radio and television. The CBC weaves a fabric of communications across this country, and helps us to express and develop our artistic voices and, therefore, help us to know ourselves. Through Radio Canada International, the Canadian image has also been portrayed widely throughout the world. According to independent survey results provided by the CBC,

*CBC is seen by Canadians as the mass media most responsible for taking a leading role in building stronger Canadian identity; more so than, in descending order, newspapers, book publishers, and private broadcasters.*

*CBC is seen as one of the major Canadian symbols of unity — more important than bilingualism, hockey or the Queen to most Canadians. — Letter from Joan Gordon, Director of Parliamentary and National Community Relations, Canadian Broadcasting Corporation, November 21, 1991.*

In the view of our Committee, there is simply no doubt about the importance of, and the justification for, a publicly-financed national broadcasting institution.

In response to the Committee's request for statistical information, the Minister of Communications addressed the question of the importance of culture in the fabric of Canadian society and the role of the CBC.

*Based on these figures, I believe that Canadians consider culture to be an important element in the fabric of Canadian society. However, as noted by Mr. Spicer and his fellow Commissioners in their report last July, they do not*



*consciously subscribe to a great many symbols of Canadian citizenship. One of the few unifying symbols they do identify is the CBC, but as our data show, even the CBC is beginning to lose some of its impact as a unifying force as a result of the pressures of globalization and audience fragmentation. In a world where not only broadcasting, but also the other cultural industries, will be experiencing these pressures to a greater extent, it will be important for the future of Canada to maintain and strengthen these distinctive cultural voices through a variety of measures. I strongly believe that the federal government's role will continue to be central in this regard, since we have a clear and unequivocal obligation to ensure that Canadians from one part of Canada are able to communicate and share their experiences with Canadians in other parts of this vast country. — Letter from the Honourable Perrin Beatty, Minister of Communications, to Bud Bird, M.P., Chairman of the Committee, January 24, 1992, p. 1, 2.*

A summary report included with the Minister's letter provides detailed public opinion data on the role of the CBC. (Special permission was granted by Environics for DOC to share their survey results with the Committee. The Committee gratefully acknowledges this assistance.)

*The CBC has always played an important role in affirming and communicating a Canadian identity. Environics surveyed Canadians on the issue of the CBC. It reports that about half of all Canadians believe the CBC contributes a great deal in only two areas — keeping in touch with world events and finding out what is happening in Canada. At a time when Canadians seem to feel a greater need for a sense of Canadian distinctiveness, the report suggests that a declining number believe the CBC is doing a great deal in this regard. Just 31 percent, a decrease of eight points, think the CBC is contributing a great deal to maintaining a distinctive Canadian culture. A plurality of 44 percent think the Corporation contributes somewhat and 14 percent, an increase of nine points, think it contributes "not at all". — Summary Report in letter from the Honourable Perrin Beatty, p. 5, 6.*



Table 1.1 — The Mandate of the CBC 1985-1991

	Great deal		Somewhat		Not at all		DK/NA	
	1985	1991	1985	1991	1985	1991	1985	1991
Keeping in touch with world events	66	52	27	37	2	4	5	6
Finding out what is happening in Canada	52	48	38	40	3	5	7	7
Maintaining distinctive Canadian culture	39	31	47	44	5	14	8	11
Maintaining Canadian unity	32	31	48	44	10	16	10	10
Maintaining Regional Identities of Canadians	31	29	48	48	11	13	11	11
Promoting Bilingualism Among Canadians	30	25	46	40	12	20	12	15

Source: Environics 1991-1

Senior officials of the CBC described the many actions that have been taken to make the organization more cost-effective and efficient within limited budget resources. As well, they put the role of the CBC and the national unity debate clearly in perspective:

*The CBC has no business trying to persuade Canadians of a constitutional position, but it does have a profound responsibility to equip them with the images and sounds, the faces and voices of Canadians, to such an extent that they can then make a healthy, wise, prudent and creative decision. — Patrick Watson, Chairman, Canadian Broadcasting Corporation (Issue 12:14).*

*It is not CBC's role to advocate one particular vision of national unity... Our task is to inform people about what is happening in the country, to do that as objectively as possible, and to help people share creative and cultural experiences. — Gérard Veilleux, President, Canadian Broadcasting Corporation (Issue 12:22).*

There have been complaints about biased reporting by the CBC of the news and on current affairs programs, and there have been charges of imbalance in the presentation of bad news and calamity over good news and accomplishment. Criticisms about bias or imbalance in its journalism and programming were firmly rejected:



... with the on-going constitutional debate... certain people feared — and others hoped — that we might take a position, or ask our journalists to bias their coverage. We wanted to make absolutely clear that the standards laid down by the corporation in its policy book were not to be violated. — Patrick Watson, Chairman, Canadian Broadcasting Corporation (Issue 12:32).

... our journalistic policy clearly enjoins journalists to give both sides of the question, what you would call the good news and the bad news. — Trina McQueen, Vice-President, News Current Affairs and Newsworld, Canadian Broadcasting Corporation (Issue 12:38).

The CBC's *The Journal* took the initiative in 1990 to bring Canadians together for a weekend to discuss their views on national unity. Such programs on current issues are frequently aired by the CBC, with all sides given time and opportunity to state their case. While we respect the commitment to journalistic integrity, and to fairness and balance in the presentation of news and public affairs, some Committee members would prefer to see a prominent national institution such as the CBC make an explicit commitment to help bring the country together. After all, as Canada is, so is the CBC; without a country called Canada, it is difficult to contemplate the existence of the CBC as an institution.

In his appearance before the Committee, CBC President, Gérard Veilleux, described the CBC's difficult financial position. He pointed out that the government's appropriation in real terms is virtually the same today as it was ten years ago, with no increase to match the momentous impact of inflation over that period, and with no authority to borrow or to accumulate a deficit. He also advised that recommendations for a more stable and predictable funding approach had already been made to the federal government, and the CBC management was waiting with a great sense of anxiety for future decisions in this regard. Our Committee shares the view that changes in funding mechanisms would help the CBC to manage more effectively within available resources, and we would be favourably disposed to improvements such as a five-year forward revolving budget, and a limited borrowing authority to balance the flow of operational funds and capital expenditures in a reasonable and business-like manner. We can hardly conceive of any \$1 billion corporation being run efficiently otherwise.

### Private Broadcasting

Private television organizations such as the CTV network and the Canadian Cable Television Association expressed a strong sense of commitment in support of Canadian unity. For example, in conjunction with *Maclean's* magazine, CTV sponsored a special Canadian unity seminar in mid-summer of 1991 that dramatized very effectively the nature of consensus-building required in this country, almost as a prototype or model for a constituent assembly. As well, CTV has participated with others in an innovative orchestration of the national anthem, designed to inspire new feelings of patriotism within our country. The CTV executives appearing before our Committee were not in any way apologetic for these initiatives in the interest of Canadian unity, nor did they feel or accept that there should be any



compromise to their journalistic integrity in doing so. In effect, they appeared willing to say that, as institutions, they feel a responsibility to the country — which they are prepared to demonstrate in institutional ways; yet, they are confident that such measures can be taken without compromising objective reporting or balanced programming.

The Canadian Cable Television Association was even more specific about its commitment to the national unity mission. Asked to compare their attitude with that of the Canadian Association of Broadcasters (which had called on its members to get involved in the national unity debate) and to compare their stance with that of the Canadian Broadcasting Corporation, the CCTA responded:

*I'd like to comment on that directly. Mr. Spicer actually addressed a number of cable companies in the last while to thank us and congratulate the cable television industry on the support we gave to the Spicer Commission in electronic town hall meetings. The town hall meetings ran across the country; the satellite uplinks and the inter-connections were done by the cable television industry. We did brochures in each community. We sponsored and actively encouraged people to participate in discussions using the community channel, and to get involved with the community channel in talking about what's important. At our convention in June in Ottawa, in many of the speeches, many of the industry leaders and many of our participants also took this same position that we, as individuals, as companies and most definitely as an association must all do everything to respond to and deal with the crisis. ... above and beyond our industry, what is most important is saving Canada. — Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:72).*

Aboriginal peoples, separated by vast distances, have pressing communication needs. The recently announced Television Northern Canada network was established as the result of years of effort and in cooperation with territorial governments, aboriginal broadcasters and the Canadian Broadcasting Corporation Northern Service. Other needs are an independent aboriginal press; together, television and the print media would allow aboriginal peoples to celebrate their internally diverse culture, to better understand each other and to promote tolerance and respect for their differences and similarities.

*As aboriginal people we need to think about issues which have control of our lives. No people have ever evolved without debate and discussion of ideas. We need some of our own people to begin to present some of their ideas about the future direction we should be following as Aboriginal people. We need help, we need support of Aboriginal language initiatives, cultural revitalization initiatives, Aboriginal communications initiatives. We need our people to begin to understand the world around them. As Aboriginal communicators, our job, quite simply, is to interpret to Aboriginal people events which are taking place around them, and allow them to make decisions on matters that are affecting or will affect their lives. — National Aboriginal Communications Society, Brief, p. 2.*



## The Print Media

Among Canada's principal communications systems, the network of daily and weekly newspapers plays a strong role in influencing public opinion. Moreover, as opposed to the subtleties and the reservations about editorializing which exist within the broadcasting industry, the newspapers of Canada do not hesitate to express their editorial opinions, and in fact editorial policy is a hallmark of the newspaper business. It is true that every newspaper's publisher and editorial staff is deeply committed to journalistic freedom and integrity in the reporting of the news, and most would claim that they strive successfully for balance in its presentation. What is different and unique about newspapers, however, is that they also feel a strong sense of freedom and responsibility to express their subjective views and opinions on the editorial pages.

*On the editorial side of the paper, the editorial boards of the various newspapers in Canada, and this is certainly true of the Citizen, try to provide leadership on one side or other of the question. Sometimes it would appear that some newspapers certainly have been on both sides of the question.*

*I think it fair to say that the Citizen has been strongly federalist, strongly in favour of the Meech Lake agreement. The only other thing I would add is that we don't know of any practising separatist in our newsroom. — Clark Davey, Publisher, The Ottawa Citizen (Issue 30:6).*

The Committee was impressed with the initiative taken by *Maclean's* magazine to create a national forum consisting of 12 Canadians to see if they could agree on a common vision of a united Canada. They produced a detailed blueprint of constitutional changes which they agreed would produce a firmly unified country. The intriguing results were published in the January 6, 1992, edition of *Maclean's*.

The great importance of all forms of communication — broadcasting, cable television, telecommunications, newspapers, magazines and books — to national unity, and the manner in which delivery of the cultural message is intermingled with its creation, was well expressed for us by this witness, among others:

*In other words, what makes a country is the process of dialogue and communication and sharing of images, ideas and information.*

*So how do we go about sewing Canada back together? How do we heal the wounds and try to inspire a sense of place and belonging that seems to be missing? How do we go about re-making our relationship with the people of Quebec and with the native people in this country? We can do that only if we understand, in this responsibility to each other, that the first and most important thing we have to do is to get to know each other. We have to talk to each other. We have to like each other. We have to enjoy and appreciate our differences.*



*...We have to come to grips with the fact that never in this country have we solved the problem of building nation-wide systems of cultural communications. — Susan Crean, Chair, Writers' Union of Canada (Issue 13:6, 7).*

### **Telecommunications — Canada's Electronic Railroad of the 1990s**

The Committee recognizes the essential and increasing role being played by our telecommunications system as a key social and economic link among Canadians in all regions. Telecommunications provides the means for Canadians to share the idea — and the ideal — of a common Canadian home that stretches from coast to coast to coast. By shrinking the distances between us, our telecommunications system plays an important role by helping to build awareness among all Canadians about the values we share as a nation and the ideas we have in common. This is true no matter the function — data, voice and video distribution through wire lines, fibre optic, microwave, satellite or radio facilities. Together they form a seamless web, a national communications network that not only links Canadians to each other, but to the world.

Representatives of the telecommunications industry were also forthcoming in their sense of public commitment in support of national unity:

*Telecommunications is, in a very real sense, the means of bringing Canadians together, and perhaps the most important vehicle for sharing what makes up our identity. — AGT Limited, Brief, p. 2.*

*At this critical time in Canada's history, information technology can also strengthen our national identity, bringing Canadians at a distance closer together and allowing broad participation in the renewal process. — Jocelyne Côté-O'Hara, Vice-President, Government Relations, British Columbia Telephone Company (Issue 28:50).*

*A shared Canadian identity needs enabling communications. In a sense, national unity is nothing but about communicating. Telecommunication is the medium that moves the messages and, as our late Marshall McLuhan observed, it is also becoming the message. — George Horhota, President, Canadian Business Telecommunications Alliance (Issue 23:6).*

*The company is more than willing... to assist in bringing the power of television to bear on the promotion of Canadian unity. — Eldon Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:31).*

## **1E. DIVERSITY: THE COMMON GROUND**

*The common ground is diversity. This holds true whether we are describing our geography or our culture. From the first significant brush stroke on an empty white canvas, the defiant acceptance of our human frailty in the face of our vast*



*northern winter, the polymorphous cacophony of shape and colour at the sensuous undergrowth of our urban wilderness, we are diverse. We are not a melting pot. We are not a monolith, and we never will be. We are diverse... and it's time we grew up and acknowledged it.* — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:74).

This is not a new theme, but one which requires constant repetition and reinforcement for each new generation of Canadians. It may seem trite, but it is true to say that one of the principal common bonds helping to tie this country together is our very diversity; not only our regional, ethnic and linguistic diversity, but also the magnificent diversity of our landscape which is the grand natural environment that we all share as a common heritage. Each incredibly different corner of the country holds a sense of ownership for every Canadian. Though we may never have lived in it, nor even seen it, we do share ownership; we do identify with it as part of our own great country and of our children's heritage.

This is the essence of belonging to Canada: being able to share in its diversity — its geography, its people, its cultural expressions and its political institutions. It is simply not necessary, desirable, nor indeed possible, to build a national model for Canada based only on our similarities; rather, the key to Canadian nationhood is a recognition and appreciation, indeed a sharing, of our differences. The process of self-examination periodically undertaken by Canadians is unique and positive. It is a democratic exchange of dialogue that makes us more aware of, and appeals to, our sense of patriotism. Each person, community and province brings distinctive identity to the whole, and we gain the spirit of nationhood in truly identifying with that diversity, as though it were our own — which, in truth, it is.

When we think of the many picturesque geographic features of Canada, we do so with a sense of belonging or sharing, virtually with a sense of owning. That is the feeling that we must also share about our fellow citizens and their cultural distinctions; each influences the other and each is part of us all. From those kinds of sentiments and emotions comes a sense of common Canadian citizenship, of belonging, of identity and of national unity.

Our witnesses expressed the apparent dichotomy between diversity and identity in many ways:

*The shaping of identity... involves both identification and differentiation, forces which pull in opposite directions. But the fact is, that the one needs the other. The perception of difference leads to the appreciation of similarity, and vice versa.* — Writer's Union of Canada, Brief, October 31, 1991, p. 3, 4.

*As we understand it, that shared identity is different from a narrow sense of identification with any particular group, be it ethnic, regional or political. It embraces the entire, incredibly varied, texture of the Canadian experience. In a word, it is Canadian culture defined in its broadest sense.* — Roy MacSkimming, Director, Association of Canadian Publishers (Issue 11:4).

In creating a constitution that will truly unify our country, it is not enough that politicians reach consensus about concepts, or that legal experts frame the principles in legislative form. To give real meaning and significance to any unified vision of Canada, it will be necessary for all



Canadians to understand and identify with the broad spectrum of distinct and differing cultural values to be found in this nation. It is through our artists and our heritage institutions that those values can be best expressed and preserved. Most importantly, it is through our means of communication — television, radio and telecommunications networks, newspapers, books and magazines, music, museums and archives — that the rich and diverse values of our heritage are instilled in the hearts and minds of all Canadians.

*We, in the business of culture, are engaged in helping people understand each other better. By defining, shaping and re-shaping our cultural identity, we come to know who we are as a people. Psychology and real-life experience tell us that the basis of fear is ignorance. If we are ignorant of who we are, how can we be expected as a people to better appreciate each other, let alone tolerate each other's differences, or accommodate and support each other's aspirations? If we don't know who we are, we can't even begin to appreciate each other. — Yvon Desrochers, Director General, National Arts Centre (Issue 3:29).*

While many people do not think of sports activities in terms of cultural expression, there are few better examples of a common Canadian identity than those found in the traditions of our national pastime, *hockey*. The competitive passions which are evoked among Canadians by the historic rivalries of our hockey teams are legendary, but the institution of ice hockey is a proud Canadian creation, one in which all Canadians can reconcile their differences and share a common identification.

*You have to provide means by which people will live the same thing... when Paul Henderson... scored the winning goal in Moscow, culturally for the whole country it meant something. People lived that experience together. This is the only way that you achieve this. You don't have to touch the homogeneity of particular parts of the country; what you touch on is the experience of living something extraordinary together. If you don't do that, you will never have a country. — Pierre DesRoches, Executive Director, Telefilm Canada (Issue 20:24, 25).*

Sport is a form of cultural expression, and sports illustrate how the diversity of Canada can be moulded into a source of shared identity, pride and common citizenship, sometimes in the most extreme circumstances.

In the final analysis, our Committee and the majority of our witnesses strongly support a unified Canada which is respectful of its diversity. We do recognize the significant cultural and communications implications. In fact, in many respects, unity is made difficult to achieve because cultural minorities feel their distinctiveness may be lost if they share in a common identity. There are cultural tensions and a sense of cultural conflict in this country and, in our view, that is why there is such difficulty in achieving constitutional consensus.

*The crisis which is facing Canada today is as much cultural as it is political. The proposals include no less than three central elements which can be characterized as cultural issues: the question of a distinct society, the issue of*



*aboriginal peoples, and the disposal of culture itself as a responsibility of the federal and provincial governments. Never before in Canadian life has a discussion of this moment been so significantly centred on the cultural dimension of our national experience. ...such a concentration on cultural issues is long overdue and indeed critical at this juncture of our history. ... we are confronted with a crisis of which only a part can be satisfactorily dealt with by constitutional resolve. — Canadian Conference of the Arts, Brief, October 1, 1991, p. 1.*

Our Committee feels strongly that Canada's cultural circumstances should not be allowed to contribute to a sense of cultural conflict. Rather, our differences must be reconciled and resolved into a political union which accommodates and celebrates diversified cultures, and which leads to a common and shared sense of citizenship. We recognize the reluctance of certain groups, notably in Quebec, to commit themselves to the larger cultural mission of a unified Canada. The Union des artistes expressed their view on this issue in the following way:

*We think that the future will be much happier — both for Quebec and for Canada — if we can agree to be what we are... fundamentally — two peoples — two distinct nations. After this emotional crisis... basically a crisis of values and of culture — we will have to relearn, as two distinct nations, to live side by side and, despite everything, to value each other. ...life has today become impossible for everyone concerned. — Serge Turgeon, President, Union des artistes (Issue 19:5).*

This was *not* the view of most witnesses who came before us to proclaim artistic freedom, arm's length independence, peer jury assessment and access to all levels of government across this country. We feel strongly that culture is strengthened and stimulated towards standards of excellence more by being shared on the whole Canadian and international stage than by any other means.

Indeed, as we have tried to demonstrate, the ties that have the potential to bind Canada come primarily from our cultural realities, and depend upon our ability to communicate them to and with one another. The spirit of the current constitutional deliberations, therefore, must reflect the cultural, as well as the political, dimensions of Canada. Words from the following witnesses seem particularly appropriate in this respect:

*Canada is in crisis... because of our own failure to learn and listen and to grow with each other... It is a cultural failure... a nation is made by people and their expression of a desire to live together, to shape a future with each other... you cannot have a nation without culture, and that means that you cannot have national unity without a national culture... what makes a country, is the process of dialogue and communication, and sharing of images, ideas and information. — Susan Crean, Chair, Writers' Union of Canada (Issue 13:5, 6).*

*We believe that the fabric of a strong national culture does exist in Canada. ...However, its capacity to serve its function as a unifying force... has been seriously threatened in recent years by a failure of understanding in public*



*policy. That failure is in regarding the so-called cultural sector as some kind of separate entity, instead of reflecting upon what kinds of public policy will inevitably have a spillover and a disadvantageous effect on the cultural life of the nation. — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:28).*

*The artists are amongst our talented communicators. They have a keen sense of who we are and, in many cases, of who we are becoming. They have a compelling way of expressing the meaning of self, and that collectivity of self we call nationhood. More often than not, they express themselves the way we all wish we could. — Yvon Desrochers, Director General, National Arts Centre (Issue 3:29).*

## CONCLUSION

We have come to the clear conclusion that the pursuit of national unity for Canada must be directed towards the reconciliation of cultural as well as political issues. A constitutional accord cannot be reached successfully unless we also find a cultural accord. It is in this context that we prepared our submission to the Special Joint Committee on a Renewed Canada, which is attached as Appendix B to this report.

The narrow definition of culture touches on the artistic, creative and heritage contexts; but culture is also defined more broadly as the collective expression of peoples in their ways of thinking, feeling, doing and being. The critical linkage between these two concepts of culture is that the one reinforces the other. It is essential that governments recognize and understand these distinctions. First, because they are fundamental to the nature of our society and, second, because governments at all levels help to create the expression of our reality as a nation by fostering and nourishing cultural activities and expressions.

Canadians believe strongly that the arts and heritage are important to the development of Canadian society as shown by preliminary data from the recently conducted Consumer Arts Profile survey. While culture is perceived by many as the soul of society, paradoxically it is often not well recognized, appreciated or valued by all levels of government and frequently does not rate highly as a government spending priority. Our Committee believes that, particularly in Canada — a relatively young country striving to build a nation on the foundations of two official languages and a diversity of cultures — *all governments must make culture a very high priority!*



## CHAPTER TWO

### CULTURE AND COMMUNICATIONS: THE TIES THAT BIND

### The Role of Governments

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#### 2A. THE CONSTITUTIONAL CONTEXT

*To a great extent, the current constitutional emergency is a struggle to define who Canadians are, and what we value. It could result in the failure of the country unless cultural imperatives — not only in Quebec, but in every part of Canada — are given due recognition in the final constitutional settlement. At long last, there seems to be a realization that our cultural differences and distinctiveness, more than federal-provincial power-swapping, are at the root of our political reality. — Roy MacSkimming, Director, Association of Canadian Publishers, (Signature, Newsletter of the Association of Canadian Publishers, p. 1).*

The Fathers of Confederation were silent on the matters of culture and communications when they drafted the original Canadian Constitution in 1867. There was no reference to either culture (with the exception of *copyright*) or communications (with the exception of *telegraphs*) as areas of legislative jurisdiction. Yet, cultural values are paramount in any society, and a country's communications capabilities are pivotal to the full expression and development of its cultural potential. The fact that the recent federal constitutional proposals touch significantly on areas involving culture and communications seems a *de facto* acknowledgement and acceptance by the Government of Canada of major obligations and responsibilities in these areas.

As we concluded in Chapter One, the constitutional process is as much cultural as political, and affirmation of this seems clearly reflected in the words of the leaders of Canada's three main political parties when the Prime Minister tabled the constitutional proposals in the House of Commons on September 24, 1991:

*Renewal is what Canadians everywhere seek for our country... renewal of our values, of our institutions, of our working arrangements... renewal of our commitment to Canada and to the well-being of our fellow Canadians. — The Right Honourable Brian Mulroney, Prime Minister, House of Commons, Debates, Tuesday, September 24, 1991, p. 2585.*

*Mr. Speaker, a constitution is both a political statement and a legal document. It embodies and reflects the values Canadians share and defines the legal structure of our society. — Honourable Jean Chrétien, Leader of the Opposition, House of Commons, Debates, Tuesday, September 24, 1991, p. 2591.*



*... it will require from all of us an openness and a tolerance for the diversity of this country and a commitment for the strength of a united Canada that acknowledges that diversity...* — Honourable Audrey McLaughlin, Leader of the New Democratic Party, House of Commons, *Debates*, Tuesday, September 24, 1991, p. 2598.

We were also reminded of the constitutional context of culture and communications by a witness representing one of our foremost national cultural institutions:

*There is no better time than the present, as Canadians embark on a review and a renewal of the workings of their Constitution, to bare light on the cultural, social and communications aspirations of our citizens.* — Joan Pennefather, Government Film Commissioner and Chairperson, National Film Board of Canada (Issue 10:4).

Throughout our hearings the Committee has received persuasive testimony to support the principle that all levels of government have inherent mandates and responsibilities for culture and communications. These representations are best conveyed by words from witnesses themselves:

*So our first recommendation is ... that Parliament recognize that our country is not merely an economic unit, but rather the expression of its people.*

*... We need to see as well as hear a commitment to national cultural institutions, so our second recommendation ... is that the government and Parliament commit itself to public support of the arts.* — Susan Crean, Chair, Writers' Union of Canada (Issue 13:6, 7).

*Canada would ignore the arts at its peril. McLuhan described the artist as the distant early warning line of civilization.* — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:75).

*...the government, and the cultural sector have an opportunity for a rare and productive collaboration, which will not only strengthen Canada's cultural identity, but the fabric that holds Canada together. We believe a constitutional solution to the question of responsibility for culture is an important development.* — Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:10).

This testimony is also supported by recent polling information on the attitudes of the Canadian public towards Canadian culture. The following statistics were provided to the Committee by the Minister of Communications, through special permission from Goldfarb Consultants and Environics.

*Environics' 1991 Media Study reports that seven in ten Canadians surveyed believe that Canada has a distinct culture that makes it different from other countries, and six in ten, the highest proportion since 1985, think more should be done to develop a separate identity from the Americans.*



*The 1991 Goldfarb Report states that Canadians want to protect Canadian culture. Canadian ownership of cultural industries continues to be important to Canadians (with 81 percent of those surveyed believing it to be "Very Important" or "Somewhat Important"), and, if anything, its importance has increased slightly over the past five years.*

*Except in Quebec, where the two are equally important, the preservation of the Canadian heritage appears to be more important to people (70 percent of adult Canadians surveyed) than the preservation of their own ethnic heritage (52 percent of adult Canadians surveyed). While Canadians stressed the importance of not losing their own ethnic roots, the Goldfarb Report indicates that Canada's cultural identity should take precedence.*

*The Environics 1991 Media Study reports that three-quarters of Canadians surveyed support the idea that the Canadian government should require radio and television stations to broadcast a certain number of programs that are made in Canada.*

*Goldfarb Consultants reports that there is a slowly growing proportion of Canadians (60 percent of those surveyed) who place importance on the need to have cultural products, activities and facilities easily accessible. — Adapted from the Summary Report in letter from the Honourable Perrin Beatty.*

In addition to the purely *cultural rationale* for government support of cultural activities, we must also recognize the *economic importance of culture* as a basis for government investment. The significance of creative innovation and design in the development of globally competitive cultural products and services is becoming increasingly recognized by governments around the world. As the 1985 Royal Commission on the Economic Union and Development Prospects for Canada stated:

*High quality products, technologies, plants, homes, cities and locales require the presence of creative artists of all kinds. To increase the long-run supply of artists in all these areas of our national life, as well as their artistic and cultural expression, governments must support the artists and the arts. The long-term return from investment in artists and the arts is real and substantial. In the absence of strong public support of this sector, Canada will not reap these benefits. Governments at all levels should increase their contribution to their respective arts councils. — Royal Commission on the Economic Union and Development Prospects for Canada, Report, Vol. 2, Ottawa, 1985, p. 116.*

Cultural investments by governments have other direct economic pay-offs as well. If the cultural labour force is considered as a whole, then culture, unlike science, is both information-rich and labour-intensive. This is a helpful combination in a capital-intensive information economy threatened by wide-spread unemployment. From 1971 to 1991, the cultural labour force grew by 122 percent (from 156,000 to 346,000) compared to 58 percent for the labour force as a whole (from 8.627 million to 13.671 million) — more than twice as fast. During that same period, the cultural labour force increased from 1.81 percent of the total Canadian labour force to 2.53 percent. (Source: Statistics Canada, January 9, 1992, letter from Iain McKellar, Assistant Director, Education, Culture and Tourism Division)



Our Committee believes the case has been well made that, in the current constitutional discussion, culture and communications are compelling issues of government responsibility, equal to such traditional areas of legislative jurisdiction as economic development, social policy, education or protection of the environment. We believe that all levels of government have vital roles to play in fostering cultural development and preservation of our heritage. Also the federal government has a primary responsibility to ensure the continuing development of comprehensive communications systems so that Canadians may better know and understand themselves. The intrinsic worth of any nation stems from its efforts to promote its creative talent, to honour its proud past and to foster the appreciation of these values at home and abroad. Culture and heritage are, as we have previously stated, the essence of our national being and the instruments of our identity as a country.

While the social, economic and political mandates for culture and communications seem clear, the jurisdictional mandate remains complex, and sometimes even obscure.

Although neither culture nor communications was referred to in the original constitution, it was clear that provinces generally were to retain control over provincial and local matters while the federal powers were to relate to issues of interprovincial, national and international interest. Specifically, if we consider the constitutional power to legislate in *cultural areas* such as dance, music, theatre, sound recording, film or book publishing, it seems clear that the federal government does *not* have such *legislative powers*. However, it does have the *power to spend*, and *to establish national institutions* in the fields of culture.

This having been said, we must recognize that governments in the western world do not normally use legislative powers to regulate artistic expression. One of the fundamental tenets of western society is that artistic expression should be beyond the scope of government regulation. The Minister of Communications, the Honourable Perrin Beatty, confirmed the application of this tradition in Canada when he stated:

*Indeed, it is a hallmark of the traditions in which we live that cultural expression is encouraged and protected as being largely outside the proper scope of government regulation. Thus, what legislation there may be concerning, for example, the making of films will tend to deal with labour relations, or safe working conditions, or sanitary standards of meal preparation, but not with the artistic decisions that are taken in regard to the script, the camera work, or the acting styles of the leads. About this general proposition there is virtually no controversy, it is at the core of artistic freedom and liberty of expression.*

*In Canada, this freedom is enshrined in the Canadian Charter of Rights and Freedoms, as well as in various provincial codes, including the Quebec Charter of Human Rights and Freedoms. — January 24, 1992, letter to the Chairman in response to questions raised at the Minister's December 12, 1991, appearance before the Committee.*

Accordingly, the federal government's cultural initiatives are normally undertaken on the basis of its non-legislative constitutional powers: its taxing (or expenditure) powers and its power to establish national institutions (such as the CBC or The Canada Council).



Communications is also constitutionally complex, and frequently involves *both cultural content and broadcast transmission* of the message. A research report prepared for our consideration by the Library of Parliament commented on this as follows:

*Communications can refer to either the content of a message, the means of transmission..., or both. The content of a message is often a matter of property and civil rights within a province (provincial jurisdiction) but the means of transmission is increasingly likely to involve an inter-provincial or even international undertaking (federal jurisdiction).*

*... In the early days of communications regulation, radio exemplified broadcast technology and telephones exemplified telecommunications. Radio seemed to fall most naturally under federal jurisdiction, as the transmission waves could not necessarily be confined within provincial boundaries, while telephone regulation seemed most amenable to provincial regulation because telephone "networks" were geographically controllable. — Mollie Dunsmuir, *Culture and Communications: The Constitutional Setting*, Research Branch, Library of Parliament, September 10, 1991, p. 3.*

Notwithstanding the difficulties of definition and interpretation indicated by the above comments, the law has been quite clear in assigning *legislative jurisdiction over broadcasting and telecommunications* to the Government of Canada. In 1932, the Judicial Committee of the British Privy Council decided that the power to legislate with respect to radio broadcasting fell within the exclusive jurisdiction of the federal level of government. Federal jurisdiction was subsequently extended by the Supreme Court of Canada in 1978 to include the regulation of cable television. And in 1989, the Supreme Court further held that the national telecommunications network was an integral network under exclusive federal jurisdiction.

In summary, we must conclude that while the Constitution is silent with respect to the allocation of jurisdiction over culture, the *legislative role* of the provincial governments in *culture* is generally accepted. However, as we shall describe, the federal government has increasingly played a strong leadership role in the support of cultural development in Canada through its national institutions and its constitutional authority to tax and make expenditures. We believe this federal contribution must be sustained, and indeed strengthened. Similarly, it is our conclusion that, with the exception of systems solely within a province, *federal primacy in broadcasting and telecommunications authority* should be firmly maintained.

## 2B. THE FEDERAL MANDATE

*In a country... with as much geography as Canada, it is vital that we do not become a fractious family of individuals who fight constantly to protect their own interests. In this respect, we are far ahead of the European Community, who have taken steps to establish economic ties, but have little or no intention of becoming a closer family. These closer links are the cultural ones.*



... In Canada, we already have a common nation. It is the role of the federal government to keep us in touch with the national views which transcend the inevitable regional concerns. We need strong federal organizations which embrace this role, and provide this vision. — Council for Business and the Arts in Canada (Issue 23A:7).

A brief review of the history of federal government support and regulation in culture and communications demonstrates the increasingly significant leadership role which it has played.

A postal subsidy for newspapers and periodicals was established soon after Confederation, through the *Postal Act* in 1875. Our national museums had their beginnings in the late 19th century within the Geological Survey of Canada; the National Archives can trace its earliest roots back to 1872; the National Gallery of Canada was officially established in 1880. The first of Canada's national parks was opened at Banff in 1885, but it was not until 1917 that the first historic park was acquired — Fort Anne in Annapolis Royal, Nova Scotia.

In communications, while Alexander Graham Bell invented the telephone in Brantford, Ontario in 1884, and Guglielmo Marconi received the first trans-Atlantic radio signal in St. John's, Newfoundland in 1901, federal activities were restricted to regulation of the telegraph system. When the Canadian Broadcasting Corporation was established in 1936, that public network actually regulated private broadcasters until the Board of Broadcast Governors was established in 1958.

With the creation of the National Film Board in 1939, the federal government ventured into film production. In 1945, Radio Canada International gave Canada a short wave voice around the world.

Federal support for culture and communications then remained relatively stable until the seminal report of the Massey-Lévesque Commission in 1951, which led to the establishment of the National Library of Canada in 1953 and the creation of the Canada Council in 1957. The latter was the first federal example of artistic production being supported through a granting agency, based on the important principles of operating at *arm's length* from government and using *peer juries* to evaluate grant applications. Both that agency and the key principles on which it was based remain steadfast today.

It was not until the late 1960s and 1970s that the Government of Canada became very active in fostering cultural and communications initiatives. For example, the National Arts Centre was opened in 1969. In 1972, the National Museum Policy laid the basis for the Museum Assistance Program, the Canadian Conservation Institute and the Canadian Heritage Information Network. The Cultural Statistics Program was also established in 1972.

Direct federal support to cultural industries (previously restricted to indirect support in the form of postal subsidies) was initiated by the Canada Council, and then extended in 1968 with the establishment of the Canadian Film Development Corporation, later to become Telefilm Canada. In 1974, and again in 1976, the *Income Tax Act* was amended to provide for capital cost allowances on film investments. In 1976, Bill C-58 was introduced to support



Canadian-owned magazines and broadcasters; the Bill disallowed, for Canadian income tax purposes, advertising expenditures made in foreign magazines and on foreign television stations. The Book Publishing Development Program was set up in the Department of the Secretary of State in 1979, and subsequently transferred to the Department of Communications. In 1985, the *Baie-Comeau* policy was adopted to control foreign investment in the Canadian book publishing industry. In 1986, the Department introduced a program of support for the sound recording industry. More recently, the government initiated a Cultural Industries Development Fund, administered by the Federal Business Development Bank.

In the 1980s, there was also a trend towards involving other departments in the implementation of federal cultural policy. For example, Employment and Immigration Canada began to give a greater priority to training in the cultural field in recognition of the considerable impact on employment; cultural, economic and regional development agreements were negotiated with several provinces; the Department of External Affairs became more active in supporting export of Canadian cultural products, particularly with the establishment of its International Cultural Affairs Bureau; and Tourism Canada began to recognize and support the close relationship between tourism and culture.

Other important federal initiatives in culture included the declaration of the Multiculturalism Policy in 1971, the passage of the *Cultural Property Export and Import Act* in 1977, the creation of the Social Science and Humanities Research Council in 1977 (separating it from the Canada Council), updating of the *Copyright Act* in 1989, the *Radiocommunication Act* in 1989 and a revised *Broadcasting Act* in 1991.

With respect to telecommunications, an important development occurred with the creation of the Canadian Radio-television and Telecommunications Commission (CRTC) to replace the Board of Broadcast Governors, through the passage of the *Broadcasting Act* in 1968. The Canadian Overseas Telecommunication Corporation was established in 1949 (later named Teleglobe) and Canada entered the satellite age with the establishment of Telesat Canada in 1969. Since that time, Teleglobe has been privatized and Telesat is now proceeding in the same direction.

The significance of this federal involvement in culture and communications can be highlighted by the fact that the government is now spending close to \$3 billion annually on culture. In return, Statistics Canada estimates that the direct economic impact of the arts and culture sector was \$11.3 billion in 1989, or 1.97 percent of the Gross Domestic Product. In the same year this sector earned more than \$7.8 billion in wages, salaries and supplementary labour income, while total direct employment reached approximately 310,000 jobs.



The following Statistics Canada data on the level of federal expenditures on culture in 1989-90 provide some indication of how this money is spent:

**Table 2.1 — Federal Expenditure on Culture 1989-90**

Cultural Activity	1989-90 Expenditures
Broadcasting (of which \$1.31 billion is CBC)	\$1,429,014,000
Heritage (museums, archives, libraries, natural and historic parks and sites)	694,084,000
Literary Arts (primarily book and periodical publishing)	274,267,000
Film and Video	254,041,000
Sound Recording	6,210,000
Performing Arts	122,157,000
Visual Arts and Crafts	14,071,000
Multiculturalism	10,427,000
Other	93,865,000
	<b>\$2,898,136,000</b>

Source: Statistics Canada, Preliminary 1989-90 data

As we shall illustrate, this figure is greater than the total expenditure on culture by all provincial and municipal governments in Canada combined. The federal government devotes almost two percent of its total expenditures to culture, while the provinces spend an average of only one percent.

Based on the above, there can be no doubt that the federal government is accepting a most important responsibility for Canada's cultural development, and for the communications systems which help to generate and disseminate cultural values and products. To fulfill that responsibility, the federal government must ensure that our cultural diversity and linguistic duality is being expressed and communicated in a balanced and effective manner across the country, and that our national cultural objectives are being addressed for the benefit of all Canadians.

We have been reminded by our witnesses of the 1982 Federal Cultural Policy Review which described five specific ways in which the Government of Canada used its influence and resources to support Canadian arts and culture. Almost 10 years later, those roles appear to



remain current: the government acts as a *proprietor* (for example, the CBC, the National Film Board, the National Arts Centre, the National Gallery); as a *custodian* (of parks, historic sites, buildings and monuments, museums, archives, collections and libraries); as a *patron* (through the Canada Council, and in the provision of grants, loans, services, prizes and honours); as a *catalyst*, (encouraging support from provincial and local governments, and private support from charitable donations, tax incentives and matching grants); and finally, as a *regulator*, (through the CRTC, Canadian content quotas and copyright legislation, for example).

In today's constitutional context, the federal government must continue to be a leader and a policymaker in the areas of culture and communications because, as we have seen, culture permeates society and seriously affects the future of the country itself. More than ever, as we strive to affirm our diverse identities, culture must be recognized as a dominant federal issue that requires intensified policy direction and increased investment of resources. A stronger affirmation of our linguistic and diverse cultural identities should help in attaining national unity and, in the longer term, will allow Canada to reach its distinctive potential among the nations of the world.

However, we should not restrict our perspective only to some grand national scale. In thinking about culture, and support for culture, it is important to recognize that initiatives arise from every part of the country. Cultural action, and support of it, should be encouraged at every level. Even federal programs, while approaching their objectives from a national development viewpoint, now provide grants and other forms of financial support and services to individuals and organizations who may be carrying on cultural activities purely on a provincial basis. For example, grants from the Canada Council to individual artists and from the Museum Assistance Program to provincial, municipal, and other public museums, are clear illustrations of the *local* application of *national* programs.

In the area of communications, while there was willingness to see increased regional representation in the regulatory process as reflected in the new *Broadcasting Act*, there was virtual unanimity among our witnesses that interprovincial, national and international communications should remain an area of federal jurisdiction:

*AGT... welcomes government proposals to more fully integrate appropriate regional representation in the current regulatory environment. AGT believes there must be a coherent regulatory system, which enables national policy implementation but is also regionally responsive. AGT believes that any movement towards two tier regulation, with the provincial and federal governments dividing the responsibility for regulating differing aspects of the telephone companies' operation, such as the system used in the United States, would cause a serious increase in regulatory burden and a potential deterioration in the industry's ability to satisfy customer requirements. — AGT Limited, Brief, p. 5.*

*As CBTA, we would strongly oppose any move to turn back the clock by delegating any regulatory authority over the provision of telecommunications equipment or services back to any provincial government. Consistent*



*regulation of telecommunications across Canada reduces a major barrier to business's mobility between Canadian provinces. — Mairi MacDonald, General Counsel, Canadian Business Telecommunications Alliance (Issue 23:9).*

*... we must avoid a balkanized regulatory system, which would weaken our national ability and resolve to compete internationally. CTV simply does not have the resources to deal with multi-level regulation. — John Cassaday, President, CTV Television Network Ltd. (Issue 33:57).*

*The broadcasting system in Canada is not divisible among multiple jurisdictions. It must be supervised and regulated by a national institution that has incorporated into its structure, its policies and its operations both a demonstrable consistency that ensures fairness in decision-making and an adequate means of maintaining sensitivity to diverse needs across Canada. — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Letter to the Committee Chairman, January 23, 1992).*

In summary, it is evident that virtually from the time of Confederation, the federal government has assumed an ever-broadening and ever-increasing level of responsibility for culture and communications development within Canada and on the international scene. Setting complex jurisdictional considerations aside, it is also clear that this federal mandate must not only continue but also become the leading edge of a new era of Canadian cultural development. It is the hope of the Committee that this new era will also mark *the renewal of a unified Canada!*

## **2C. PARTNERSHIPS: FEDERAL, PROVINCIAL, MUNICIPAL**

While the primary focus of this report is on federal activities, we also recognize the considerable importance of provincial and municipal government activities in support of culture.

With the exception of the Saskatchewan Arts Board which was established in 1948, much of provincial government support for the arts and cultural industries has been in response to federal initiatives. Arm's-length agencies, patterned on the Canada Council, were the norm in the 1960s. In the 1970s, however, and somewhat coincident with the availability of lottery revenues, a number of provinces established ministries of culture as the basis for more direct provincial and municipal roles in culture. Support for cultural industries development began to emerge in certain provinces in the 1970s and 1980s.

By contrast, in the heritage sector, provincial governments have been active for much longer and, in many areas, have been ahead of the federal government in terms of legislative and program initiatives. Many provincial museums date back to the 19th century, and most provinces have relatively strong legislation, policies and programs for heritage preservation. Municipalities have addressed themselves primarily (but not solely) to library services in the cultural context.



The combined spending on culture of these two levels of government is almost equal to that of the federal government. The latest comparative figures from Statistics Canada are as follows:

**Table 2.2 — Government Expenditures on Culture 1989-90 (millions \$)**

Function	Federal	Provincial	Municipal
Broadcasting	1,429	195	—
Cultural Industries	534	85	—
Heritage	656	412	33
Libraries	39	633	830
Performing Arts	122	107	23
Visual Arts and Crafts	14	30	—
Multiculturalism	10	32	—
Other (multidisciplinary or unallocated)	94	213	196
	<b>2,898</b>	<b>1,707</b>	<b>1,082</b>

Source: Statistics Canada, Preliminary 1989-90 data

If the data are examined in greater detail, however, considerable differences are to be found in the areas to which each level of government directs its spending. For example, in 1989-90, the federal government spent over two-thirds of its cultural budget (\$1.96 billion), on the cultural industries (broadcasting, film and video, sound recording and publishing). Of that amount, \$1.43 billion was spent on broadcasting (CBC accounts for \$1.3 billion of total). Eighty-six percent of federal spending is allocated to the operating and capital budgets of federal cultural departments and agencies (such as the CBC, the national museums and the Canadian Parks Service), while only 14 percent goes out in grants and contributions to cultural industries, institutions, organizations and artists.

By contrast, provincial governments devote nearly two-thirds of their expenditures to libraries and heritage activities, and approximately 60 percent of their cultural expenditures are in the form of grants and contributions, with only 40 percent going to the operating and capital budgets of their own departments and agencies. At the municipal level, 80 percent of cultural expenditures are on libraries.

This brief analysis of cultural expenditure by the three levels of government indicates that each level has its own approach and specific areas of priority. However, where there are areas of overlap in funding between the federal and provincial governments (for example, grants to arts organizations and museums) there tends to be reasonably close consultation.



In addition, we must stress that witnesses from the cultural community believe strongly that multi-level sources of funding are desirable in order to ensure freedom of artistic expression. Similarly, while expressing a desire for stronger commitments to culture on the part of provincial governments, these representatives of the cultural community were very negative in their reactions to suggestions that the federal government might withdraw support from any of its current programs in favour of provincial governments. Because of the importance of these considerations, we quote our witnesses extensively as follows:

*The Council has been a strong proponent of healthy provincial, municipal, and private sector support for the arts. It remains so, but we believe it is imperative to maintain a strong and healthy national funding body as well. ... a diversity of funding sources helps the development of the arts and ensures greater diversity of creative expression. A clear benefit to artists is greater artistic freedom. ... Finally, while each region and each group has its own rich heritage and its cultural traditions, an aggregation of separate parts does not constitute a nation. The whole must be greater than the sum total of its parts. — Allan Gotlieb, Chairman, The Canada Council (Issue 31:12).*

*Canadian cultural identity and expression has really benefitted from the current partnership approach taken by all levels of government. This partnership has resulted in unparalleled levels of growth within the cultural sector and can be witnessed in the offerings of Canadian music, theatre, dance, visual arts and crafts in every part of the country. While the current proposal suggests the federal government is prepared to retain a leadership role, the offer to negotiate with the provincial governments to reflect their particular circumstances could, if broadly interpreted, weaken the current division of responsibility and weaken our ability to shape a truly national cultural identity. — Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:11).*

*Our position in the cultural community is ... that we have benefitted a great deal in this country from having several different levels of government with different mandates pursuing their own purposes. — Susan Crean, Chair, Writers' Union of Canada (Issue 13:18).*

*Other than political will, we are not aware of any impediments that exist now to prevent provinces from playing a comprehensive role in the development of their artists. Nevertheless, the provinces vary widely in their cultural programs, their structures and their budgets. Some offer very limited support. A few have accepted the arm's-length principle, but others are intent on centralizing budgets and control in ministerial hands. — Catherine Smalley, Executive Director, Professional Association of Canadian Theatres (Issue 16:12).*

*We believe that the support of cultural activities cannot easily or appropriately be compartmentalized. We believe all levels of government have a role in encouraging and supporting culture. Culture knows no boundaries and its diversity is best sustained in a pluralistic manner. — Canadian Museums Association, Brief, p. 7.*



*The provinces should participate in cultural policy development that is complementary to federal goals and vice versa. Many of Canada's cultural groups and Native Canadian communities cross provincial boundaries. Their interests must be represented. Compartmentalized policies might inadvertently ignore those interests. — Canadian Book Publishers' Council, Brief, p. 8.*

*Devolution of responsibility to the provinces would place an intolerable burden on all provinces. Even more, such changes would be catastrophic to the arts in the smaller provinces, which have less in the way of cultural resources of their own and which now benefit from the resources of other parts of the country. — Roy MacSkimming, Common Agenda Alliance for the Arts (Issue 30:50).*

*At the end of the day, after all the witnesses have had their say, after all the reports have been tabled, after all the compromises have been made, the question we must ask ourselves is this: have our efforts genuinely served the interests of communications and culture in Canada? Ultimately, that is the last and best measure of our progress. — Honourable Perrin Beatty, Minister of Communications (Issue 33:10).*

*We shouldn't maintain, by some fiction of parity, that all provinces are equal and that therefore a negotiation on specific cultural issues should take place with each province. The only reason there would be a real consideration of this would simply be in order to accommodate the perfectly legitimate needs and aspirations of Quebec's society. — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:31).*

As indicated by the last quotation, the unique contribution of the province of Quebec must be recognized in any discussion of provincial and municipal involvement in cultural affairs in Canada. Especially in its application to its French-speaking citizens, but also in its consideration for English-speaking and other cultural groups, the province of Quebec has long made a serious cultural commitment. We appreciate the sensitivity of Quebec's involvement in its own cultural development, and our Committee recognizes the distinctive nature of Quebec's society in cultural terms. We do, in fact, feel that these distinctions contribute beyond the boundaries of Quebec, to include broadly all aspects of the French-language culture in Canada. We suggest that, in the cultural context, *the distinct society* relates not only to Quebec, but to French-speaking Canadians generally throughout our country. From our perspective, then, the onus is not only on Quebec with respect to the preservation and promotion of our distinct French-language culture in Canadian society, but on the federal government and on every other province as well, because *the distinctiveness of French-language culture resides in every province and territory in Canada.*

*... the FCFA of Canada recommends that the federal government maintain its power of intervention concerning any matter dealing with the cultural development of francophone and Acadian communities within the country. — Fédération des communautés francophones et acadiennes du Canada (Issue 33:32).*



*Not only must the federal government continue to protect and promote Quebec's distinctiveness, it must also promote and safeguard linguistic minorities (Francophones outside Quebec) at the national and provincial levels. — Conseil culturel acadien de la Nouvelle-Écosse, Brief, p. 4.*

We must pay tribute to Quebec's distinctiveness in another important way, that being the generous manner in which it has dealt with its minorities. While recent policy issues have tended to strain or obscure traditional relationships, it remains an historical fact that Quebec's treatment of its anglophone minority is a positive example of respect for minority rights in Canada. Therefore it was our feeling that this historical fact should be recognized as a fundamental element in the definition of the distinct society, and in fact we offered a recommendation in this regard to the Special Joint Committee on a Renewed Canada.

Most witnesses expressed their willingness to recognize Quebec's distinct society. However, there were differing views about how the circumstances in Quebec should be approached constitutionally.

*What I really think is that the artists of this country don't give a darn which politicians think they control culture because the artists control it. They're the ones who write the books and compose the music, and it doesn't matter a darn really in the end. That's what the artists in Quebec who rejected the Arpin Report have been saying for the last few weeks. — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:21).*

*Within Quebec, an impressive number of key cultural organizations before the Commission parlementaire, which addressed federal and provincial roles in culture, favoured a continuing federal role and strongly supported the work of the national cultural institutions... — Honourable Perrin Beatty, Minister of Communications (Issue 33:9).*

*... when Ottawa comes to Quebec with its own priorities, they are not always the same as the Quebec government's objectives. In such cases, the policies not only overlap but are at odds with each other. This is what paralyzes the system... Quebec is simply asking to be master of its own destiny, at least in that area. — Serge Turgeon, President, Union des artistes (Issue 19:14).*

*The Writers' Union of Canada has gone on record in support of the concept and the reality of Quebec being a distinct society. — Susan Crean, Chair, Writers' Union of Canada (Issue 13:19).*

*While it is certainly desirable that there be a commitment to negotiate a specific arrangement with Quebec, we see no necessity for such a commitment to other provinces for two reasons: first, they may, as they do now, deal with cultural matters as they see the need to do so; and second, we are not talking about the wall of a completely different language. — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:28).*



Based on these observations, it seems that the concept of cultural partnerships among all three levels of government — federal, provincial and municipal — is not only the most practical means of approaching Canada's continuing cultural development, but also the most appropriate in jurisdictional terms. We believe that any specific partnership agreements which may be concluded should *not be constitutionalized*; they are best left flexible and open to further change by collaboration and cooperation as future circumstances evolve. We are attracted not only to the prospect of more comprehensive agreements between the federal government and individual provinces — which could recognize the specific situations and needs of each province — but also to the potential for a national accord about cultural goals and objectives. While not constitutionally oriented, this accord would become a working document to which the federal government and all provincial and territorial governments would collectively subscribe and commit. Such a so-called *Canada Cultural Accord* could be developed and articulated over time through an appropriate *council of federal and provincial ministers*, and through *consultation* with all of the principal cultural agencies and interests across the country.

We propose an institutional process which will help to develop a *cultural vision* for each community, for each province and for the entire nation — for example, the scale of artistic training available, or the levels of film production sustainable, or the standards of library service desirable, and so on. This process would set out the sectoral goals that we would seek to achieve by consensus. It would be a process led by governments, but not solely directed or controlled by them; consultation and consensus would be the keys, and cultural accords would be the means. We suggest the national framework would be set out in a *Canada Cultural Accord* to reflect the respective consensual commitments, and would be administered by a *Council of Ministers for Cultural Affairs in Canada*.

In this process of elaborating cultural goals for Canada, the identification of strategic economic and industrial advantages, and the allocation of resources will also be specified in the *Canada Cultural Accord*. The accord would reflect how these resources would be deployed through existing national institutions, through new federal-provincial funding agreements, and through the introduction of a national cultural policy.

In the Committee's view, a partnership approach is the most appropriate way for all the governments of Canada to collaborate and cooperate in attaining the full cultural potential of the nation. As well, cultural activities are frequently spontaneous, and must be encouraged to remain so. While there are risks of overlap or duplication among government initiatives, that is far more acceptable than the risk of muting or distorting the free flow of cultural expression wherever it may occur.

The same is true with respect to financial support. Even though we should do our utmost to ensure that resources are used in the most effective way possible, a responsible variety of funding initiatives is nevertheless essential to preserve cultural spontaneity and diversity.



It seems abundantly clear from the submissions we have received that the culture and communications sectors in Canada are generally satisfied with the current division of powers among governments, allowing each of them to support and participate in cultural activities in its own way while, at the same time, acknowledging federal primacy in the regulation of communications.

We must acknowledge, of course, that there are special needs and circumstances related to the role of the government of Quebec, and to its unique responsibility in matters of French language and culture. However, with respect to the Arpin Report in Quebec, it should be recognized that a significant number of Quebec artists and cultural groups opposed its recommendation for the transfer of cultural powers from the federal government to the government of Quebec. It is our view that, in principle, the partnership approach with respect to culture and communications should be maintained among *all* levels of government. Indeed, this flexible model of federalism — federal strength in areas of national application, but flexibility to work with each province in appropriate ways — is the approach the Committee suggests for the cultural affairs sector.

Rather than weakening the foundation of federalism, we believe that federalism as it is now practised in cultural affairs demonstrates clearly both the strength and flexibility of our constitutional framework. We do *not* favour the concept of *constitutionalized* federal-provincial agreements, but rather an institutionalized approach, by the development of consensus through a vehicle such as a *Canada Cultural Accord*. This would encourage the development of national standards and objectives, while preserving local and regional freedom, priority, and diversity.

## 2D. PARTNERSHIPS: PRIVATE AND PUBLIC

The culture and communication sectors in Canada cannot survive on government support alone. On the contrary, unless the people of our country themselves feel the need and motivation to invest time and money in the pursuit and support of the arts, the preservation of heritage, and the entrepreneurial businesses of communications and cultural industries, then no amount of government assistance will be able to create a vibrant Canadian culture.

Therefore, it is important to examine the ways in which government can encourage private investment in, and support for, cultural and communications activity in Canada. That is not to say that private support does not already exist, for it does in abundant measure. There are hundreds of models of private patronage throughout Canada — some large, some small — but all providing compelling evidence of the private commitments that Canadians have consistently been willing to make in support of cultural activities.

*... among the CBAC member companies, the percentage of their total donations budgets dedicated to arts organizations has grown significantly since 1984. In 1984 it was just over 10 percent and it is now at 15.5 percent... the average amount of money being given as a donation by a CBAC member*



*corporation to the arts... has grown from \$122,000 in 1982 to \$246,000 in 1990. — Blair Mascall, President and Chief Executive Officer, Council for Business and the Arts in Canada (Issue 23:31).*

The same can be said for the entrepreneurial record of Canadians in the communications sectors. The tradition of private investment in culture and communications is shared by tens of thousands of ordinary Canadians who own shares in Canadian companies.

One thing is clear — Canada's artists are themselves among the greatest patrons of the arts. In a majority of cases individual writers, musicians, actors and actresses, painters, and even athletes, pursue professional careers at income levels below the poverty line. Only a few of them ever reach *stardom*, with the accompanying monetary rewards. Recent statistics show that dancers earn a net average annual income (derived from their art) of only \$13,000; authors, \$11,079; visual artists, \$11,444; actors, \$15,210; and musicians, \$18,248. These figures are based on a survey of artists who, at the time of the survey, averaged 44 years of age, were mostly self-employed, had significantly higher than average education levels, had an average of 17 years of experience, and devoted 35 to 45 hours a week to their art and another 10 to 15 hours on a job not directly related to their art. (EKOS Research Associates, *Rethinking the Status of the Artist: Toward a Balance of Equity and Excellence*, March, 1989, p. 20.) Obviously, the cultural development of our country is significantly financed by the sacrifices that Canadian artists are required to make in the pursuit of their careers.

*It is very hard to make a living. Basically, the major support for the arts in Canada is the artists pouring in the unpaid time and labour, making their investment, supporting themselves by other means. — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:95).*

*It's a very important priority of our orchestra [Vancouver Symphony Orchestra] and of many of our colleagues across the country to find ways of providing a better and secure living for our musicians. The salary level in regional orchestras tends to be very low; \$15,000 is the average nationally for regional orchestras. — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:76).*

Another vital area of private support for cultural development in Canada comes, of course, from among the millions of citizens who pledge financial assistance each year to hundreds of special fund-raising campaigns and who, most importantly, buy tickets for art shows, theatre performances, concerts and so on. They are the cultural audiences of Canada, and their appreciation of, and support for, artistic achievement is absolutely critical to the attainment of national standards of excellence in Canadian culture. Statistics Canada reported that 40,555 live arts performances were given in 1989-90 to a total audience of 13.9 million.

*The fastest area of growth, by the way, in cultural budgets is not government funding. It is in box office, earned revenue and charitable donations. That has grown considerably over the years, whereas the level of government support to cultural organizations and activities remained relatively static. — Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:25).*



Clearly, government has played a role in encouraging private participation in support of our cultural community through such measures as, for example, the provisions of the *Income Tax Act* which allow for a tax credit for donations by individuals and a deduction from taxable income for donations by corporations. These considerations are extremely important to maintaining and expanding private financial support for the cultural sector, and some witnesses have made compelling recommendations for new provisions in taxation policy that would facilitate increased donations of heritage buildings and sites.

*The income tax system should be streamlined in order to (a) simplify the treatment of gifts of property, (b) to assure that Canadians are not penalized for such gifts, and (c) to create a favourable climate for philanthropy. — Marc Denhez, Brief, p. 17.*

Our Committee has been favourably impressed by the evidence we received about the support provided by Canadian business to the arts.

*Our purpose today is still to encourage and facilitate business support for the arts, and to assist the arts community directly in their search for corporate support. So we work a little bit on both sides of the equation. We promote the idea of business support for the arts and encourage all businesses to consider art organizations as worthy recipients of their donations. We also have a bit of a role to play as the advocate or the voice of business, when business wants to express its views on issues that impact on the arts. — John P. Fisher, Chairman, Council for Business and the Arts in Canada (Issue 23:29).*

We were provided with some interesting statistics with respect to comparative sources for funding of the professional performing arts. These figures do not include amateur art organizations, nor do they deal with the commercial arts sector. They show that, whereas in the 1980/81 season 49.3 percent of funding came from box office and earned revenue, 38.3 percent from government grants and 12.4 percent from private donations and sponsorships; in the 1989/90 season the comparable figures were 53.7 percent for box office and earned revenue, 32.3 percent from government grants, and 14 percent from private donations.

While corporate contributions to cultural activities in Canada are significant, there is still potential for increased philanthropy and sponsorship. Even though the average annual donation to the arts from members of the Council for Business and the Arts (CBAC) doubled from \$122,000 to \$246,000 between 1982 and 1990, the Council's latest research indicates that current support represents only 0.6 percent of pre-tax profit. Compared to many other countries, corporate donations for cultural purposes in Canada are still relatively low. It should be noted, however, that the CBAC has only about 100 member companies, so the potential for increased corporate support — which deserves every possible encouragement — is large.



What is significant and sobering to note is that, in current recessionary circumstances, when all sources for funding for culture appear to be under intense pressure, the proportion of support that has come from governments over the past ten years has declined substantially in real terms. Although corporate support increased significantly during that same period, it too has slowed in recent years. While box office support did grow through the 1980s, a great many arts organizations are now suffering from declining attendance. At a time when culture and its impact on the spirit of our nation has never been more important, we must face the serious issue of declining sources of financial support. Since almost all current sources of funding have ceased to grow, there is clearly a compelling challenge before Canada to generate optimum levels of private and public support for cultural development in our country as we work *to fulfill the promise of constitutional renewal*.

### 3A. CULTURE AND COMMUNICATIONS: BALANCING THE EMPHASIS

Previously in this report and more fully in Appendix A to the Special Joint Committee on a Renewed Canada (Appendix B), we have outlined the implications of culture and communications in the resolution of Canada's current constitutional crisis. We hope we have been able to demonstrate our deep conviction that these considerations are critical and compelling subjects on the agenda of Canada's future at this time. It should go without saying, national unity in Canada will always be a continuing process of renewal; it will not be consummated forever, simply upon the signing of a new constitutional document. Canadian unity will ever be an evolving and challenging reality, requiring continuous review and refinement of governmental policies to ensure that it remains more than just a phrase; that it becomes a consistent part of what we all do as Canadians.

In this concluding chapter, we want to refer back to the issue, to discuss broadly the policy directions and strategies which have been developed by numerous government departments for federal government consideration with respect to culture and communications and become ever more vital instruments in defining Canada's constitutional future. Canadians must take steps now to seize the rich potential of these issues. The Government truly believes that culture and communications are two key areas for immediate policy development, and for increased investment by government, as the path to that potential.

In our original report on the subject, the central question we asked was: "In what manner could government programs, policies, and initiatives be modified or restructured to enhance your contribution to the development of a vibrant Canadian identity and a sense of common pride in Canadian citizenship?" It is responses to that question, and the discussions which they engendered, have provided us with the evidence and information, and the many questions, on which our following text and recommendations are based.

Our Committee reminded our fellow Canadians to focus early on its key deliberation—that culture is content, and deserves its own emphasis, no longer is the message the only message, if ever that was the case. While communications and the media (radio, film, optics, fibre-optics, microwave transmission, satellites, and so on) are critical to conveying the cultural message, they are no more important than the substance and content that they transmit. Therefore, we believe, national policy must have balanced emphasis with communications policy.







## CHAPTER THREE

COMMUNICATIONS AND CULTURE:

Fulfilling the

THE TIES THAT BIND

Constitutional Promise

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### 3A. CULTURE AND COMMUNICATIONS: BALANCING THE EMPHASIS

Previously in this report, and in our earlier submission to the Special Joint Committee on a Renewed Canada (Appendix B), we have addressed the implications of culture and communications in the resolution of Canada's current constitutional crisis. We hope we have been able to demonstrate our deep convictions that these considerations are critical and compelling influences on the renewal of Canadian unity at this time. It should go without saying, national unity in Canada will always be a continuing process of renewal; it will not be consummated forever simply upon the signing of a new constitutional document. Canadian unity will ever be an evolving and challenging concept, requiring continuous review and refinement of government policies to ensure that it is more than just a phrase; that it becomes *a consistent state of mind for all Canadians*.

In this concluding chapter, we want to talk about the future; to discuss broadly the policy directions and strategies which, from our hearings and deliberations, seem most essential for federal government consideration and action, as culture and communications become ever more vital instruments in *fulfilling Canada's constitutional promise*. Canadians must take steps *now* to seize the rich potential of their future. This Committee firmly believes that culture and communications are two key areas for intensified policy development, and for increased investment by government, on the path to that potential.

In our original invitation to witnesses, one of the four questions we asked was: "*In what manner could government programs, activities, policies and initiatives be modified or restructured to enhance your contribution (to the development of a shared Canadian identity and a state of common pride in Canadian citizenship)?*" The responses to that question, and the discussions which they engendered, have provided much of the evidence and information, and the many quotations, on which our following text and recommendations are based.

Our Committee reached one fundamental conclusion early on in our deliberation — that *culture is content*, and deserves its own emphasis. No longer is the media the only message, if ever that was the case. While communications technologies (cable, fibre optics, digitalization, microwave transmission, satellites, and so on) are critical to conveying the cultural message, they are no more important than the substance and content that they transmit. Therefore, we believe, *cultural policy* must have balanced emphasis with *communications policy*.



In fact, of course, the two must go together, but it is necessary to make the important distinction that *culture as content* stands separately from *communications as technology*. That is why, for example, we address programming and production in the context of cultural policy, while discussing broadcasting transmission under communications policy. These considerations lead to our first recommendation:

**RECOMMENDATION No. 1** — The Committee recommends that, in recognition of and in support for cultural imperatives in Canada, the Government of Canada introduce amendments to the *Department of Communications Act* to change the name of the Department to the Department of Culture and Communications; further, that such amendments also fully reflect the cultural mandate and responsibilities of that Department.

### 3B. STRATEGIC POLICY DIRECTIONS

Policy should not be conceived in a vacuum; *ad hoc* measures are seldom adequate. A common theme emerging from our hearings has been the need for the Government of Canada to adopt a comprehensive, integrated, strategic policy approach to cultural and communications development:

*It seems that until there is a clear and comprehensive federal cultural policy, the cultural community is going to find itself constantly embroiled in this sort of discussion, trying to define who is responsible for it and what level of responsibility is there.* — Susan Annis, Associate Director, Canadian Conference of the Arts (Issue 3:11).

*Our first recommendation is that Parliament recognize that our country is not merely an economic unit, but rather the expression of its people. If we are to survive as a nation, then we must have a strongly articulated and financially viable arts policy.* — Writers' Union of Canada, Brief, p. 6.

*There is an overall need for the Government of Canada to develop a cultural and heritage policy framework.* — Canadian Museums Association, Brief, p. 4.

*... in this country today there is no clear, consistent and enunciated government policy in respect to telecommunications.* — Eldon D. Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:32).

It is simply not possible to make effective policy decisions in isolation, one area from another, in related subject fields. Governments cannot afford to compartmentalize their efforts unduly. The ongoing technological revolution, globalization of markets, blurring of lines between telecommunications and broadcasting, the interdependence of the arts and the cultural industries, and the socio-economic impact of culture and communications — all point to the necessity for a clear structure for the development of federal policy in these key sectors.



For example, the convergence of telecommunications and broadcasting, as the result of advances in digital technology, necessitates taking an integrated approach to the regulation and development of these industries. Similarly, domestic cultural policies must be developed within the broader perspective of a world-wide market for cultural products and services. There are numerous other scenarios — our communications sector requires a coordinated regulatory system which allows for input of regional and provincial concerns; strategies for cultural industries can have serious implications for the performing and literary arts; having over 40 federal departments and agencies involved in heritage programs alone is cause for intense coordination; the development of new copyright legislation will have implications for all aspects of communications and culture, and so on.

Thus, we propose a policy development structure as follows:

**RECOMMENDATION No. 2 — The Committee recommends that the Government of Canada address policy development in culture and communications within a comprehensive structure comprising:**

**A) a Canadian Cultural Policy, consisting of:**

- (i) a component for the arts and artists, including the performing, visual and literary arts, as well as crafts;
- (ii) a component for cultural industries, including broadcast programming, film and video production, sound recording, and publishing; and
- (iii) a component for heritage preservation, including galleries, museums, historic sites and buildings, libraries and archives;

**B) a Canadian Communications Policy, consisting of:**

- (i) a broadcasting transmission component, including radio, television, cable and satellites; and
- (ii) a telecommunications component, including telephone service, telecopying, teleconferencing, direct data transmission and satellite communications.

### 3C. GUIDING PRINCIPLES

The development of federal government policy should obviously be based upon guiding principles and goals. This would ensure a coordinated effort and, in this case, the culture and communications communities will be able to assess and evaluate the directions being proposed to serve them. Through the course of our review, we have identified *seven themes* which we advance as guidelines for future policy considerations:



No cultural policy would be relevant without recognition of *the central importance of the artist and the act of creation*. For example, cultural industries and communications systems are of little domestic cultural value unless they employ and reflect the quality of Canadian talent. For this artistic talent to be available, there must be national policies in place that establish a favourable economic environment for artistic activities to flourish. These policies must include a coordinated, national approach to professional training and development in the culture and communications sectors.

Canadian programming content must survive on its merits. Therefore, we must recognize that, to compete for audience support at both national and international levels, we shall have to *meet standards of excellence in programming and production*. While amateur and applied arts must also be supported, the federal government should continue to focus its priorities on professional cultural activities of world-class quality. Increased cultural sales in foreign markets will contribute to the financial health of our domestic cultural industries, and an emphasis on quality will also bring increased support within the Canadian market. Truly, the pursuit of excellence is the best defence of our cultural sovereignty.

Given the importance of culture and communications to our sense of identity as individuals and as a nation, it is imperative that Canadians have ready access to Canadian cultural and communications products and services. Be they books, movies, cable and satellite broadcasting, telephone services, theatrical performances, or heritage objects and buildings, they must be made easily available and accessible to the general public if they are to achieve their purposes. The Committee believes that governments have focused their attention on the production of cultural products rather than on their public availability, or on public awareness of them. More travelling exhibitions are essential, as are touring of performances, cultural interchanges, showing and distribution of films, books, sound recordings and videos. Emphasis must be placed on increasing the effective utilization of Canadian cultural products within Canada, through an enhanced priority on *awareness and access programs*.

*Employment equity* is not currently afforded to Canada's aboriginal peoples nor to visible minorities by many of our cultural industries; neither are these groups always well reflected or portrayed in our cultural programming. There is similar evidence of inequity in employment opportunities for, and portrayals of, women in cultural organizations and the mass media. Pro-active steps must be taken to rectify these situations. Section 3(1)(d)(iii) of the revised *Broadcasting Act*, states that the Canadian broadcasting system should:

*through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children, including equal rights, the linguistic duality, and multicultural and multiracial nature of Canadian society and the special place of aboriginal peoples within that society.*

We believe these objectives should be applied to all aspects of culture and communications supported by the federal government. As well, training and development programs are required to assist these groups to meet the necessary job qualifications. These actions are



necessary to ensure equitable participation by and accurate reflection of aboriginal peoples, visible minorities and women in culture and communications programming and employment practices.

As we have said, culture and communications policies should not be developed in a vacuum, nor in isolation from related interests. Just as the environmental impacts of virtually all our economic and social programs are now being carefully scrutinized, so also must governments recognize the critical manner in which culture and communications pervade and permeate our overall identity and development as a country. Serious efforts must be made to ensure *integration of policy planning* among all federal departments with respect to culture and communications.

*We can't put culture in a compartment and economics in another compartment. We can't see them as separate.* — Susan Crean, Chair, Writers' Union of Canada (Issue 13:6).

Similarly, for example, foreign policy objectives must be reconciled with our international cultural and communications goals; tax and other fiscal policies should reflect a culture and communications perspective.

Canada increasingly operates within a global economic context. Accordingly, with the development of new technologies and the breaking down of international trade barriers, we must take a *global approach* to the development and marketing of cultural products and services. We must be capable of being measured against international standards. If foreign markets can be found for our books, sound recordings, film and video products, and our communications services, these sales can help domestic firms reach a profit level, thereby contributing to the viability of our smaller domestic markets.

The international image of a country is often based upon how it is perceived from a scientific or cultural perspective. Japan, for example, is known for its sophisticated technology and quality products; the U.S.A. for its television programming, music, film and video products; Sweden and Italy for the quality of their design, and so on. For Canada, foreign touring of Canadian artists, performing arts productions, museum and gallery exhibitions and distribution of films, books and sound recordings can all be used to promote our image abroad. The recent announcement that the cultural program of the Department of External Affairs will be administered by the Canada Council is a positive step in this direction.

Lastly, as we stress throughout, *all levels of government and the private sector* have important roles to play in Canada's cultural and communications development. Effective use of scarce resources will best be achieved if all parties work and plan *in partnership*. The federal government must lead by designing its policies and programs in close collaboration with the provinces and in consultation with the cultural and communications communities.



**RECOMMENDATION No. 3** — The Committee recommends that, in guiding policy development in culture and communications, the Government of Canada should:

- (i) recognize the creative role of the artist;
- (ii) recognize a priority for standards of excellence in programming and production;
- (iii) encourage citizen awareness of, and access to, Canadian cultural and communications products and services;
- (iv) encourage equitable participation by, and reflection of, aboriginal peoples, cultural minorities and women in culture and communications programming and employment;
- (v) encourage integrated policy planning among federal departments to ensure that they are aware of their responsibilities with respect to culture and communications;
- (vi) encourage Canadian culture and communications development internationally; and
- (vii) encourage partnerships with other levels of government, the private sector, and Canada's cultural and communications communities.

### 3D. A CANADA CULTURAL ACCORD

One of the principal conclusions from our hearings was that the shared nature of federal-provincial responsibilities in matters of both culture and communications, but primarily in culture, demands an innovative approach which will permit national cultural interests to be sustained, while also meeting provincial and local cultural objectives. It has become our view that such an interdependent and interrelated framework for full expression of Canada's composite cultural vision cannot be achieved merely by inflexible constitutionalized agreements. In fact, to do so could seriously fragment and weaken much of the overall potential of our available cultural resources. Rather, as we have described in both Chapter Two and Appendix B, the concept of a national intergovernmental framework for coordination and collaboration in cultural policy development and application — *a Canada Cultural Accord* — would seem a highly desirable initiative for the federal government to lead in this regard.

It seems worthwhile to repeat here an excerpt from the recent submission of the Saskatchewan Arts Board to the Special Joint Committee on a Renewed Canada. It describes much of the rationale which we would contemplate for *a Canada Cultural Accord*:



1) Clarity should be provided in the area of bilateral negotiations for culture. 2) An enhanced level of intergovernmental collaboration and consultation should occur on programs and initiatives for the cultural sector. 3) The federal government should consider the development of a national cultural policy framework outlining fundamental principles of the federal government in the cultural sector. 4) The document should articulate more clearly defined initiatives for a national presence in the international community for the arts and culture industries. — Saskatchewan Arts Board, Brief, p. 6, 7.

Such an accord would have its foundation in each province and territory, and indeed in each local community within those jurisdictions. An organized consultative process would be conducted to evolve a vision of the cultural aspirations of Canadians, wherever they may live. A composite of those visions, reflecting consultation with all cultural communities, would be advanced in federal-provincial agreements to address both the cultural needs of each province, and the cultural priorities of the country as a whole, including aboriginal peoples. Eventually, as individual agreements were concluded, they would be orchestrated to reflect the compound cultural vision of the country — in effect a statement of Canada's national cultural identity.

**RECOMMENDATION No. 4** — The Committee recommends that, to enhance intergovernmental collaboration in combined efforts to fulfil the cultural aspirations of all Canadians, the Government of Canada take a leading initiative with Ministers of Culture and Communications to develop over time a framework for documented planning action among all levels of government to be institutionalized as a Canada Cultural Accord.

### 3E. CULTURAL INVESTMENTS

#### Government

The Committee realizes that many of our recommendations will require increased financial commitments to culture on the part of the federal government. As well, they will have implications for funding by other levels of government, and the private sector. We believe, however, that these investments are essential to both the cultural and economic development of Canada, if not to its very survival as a unified country.

We also believe that the federal-provincial partnership approach which we are recommending in this report, and which is based on negotiated federal-provincial accords and cost-sharing agreements, should help lead to the elimination of ineffective duplication, to the increased provincial and municipal spending on culture, and to more effective use of total government funding.



Some of our recommendations would require changes to tax treatment of cultural property and investments. These would involve indirect expenditures or loss of revenue for the federal government. However, the main recommendation for tax treatment of heritage properties calls primarily for incentives to investment in building renovation that would stimulate increased economic activity and employment in this sector. With respect to tax credit proposals for cultural industries, if properly structured their long term impact should result in financially stronger industries which will be less dependent upon support of government funding. If these industries are able to make significant inroads in international markets, such progress will lead to beneficial domestic economic effects, including increased corporate income tax and sales tax revenues.

Similarly, we believe that strategic efforts to stimulate the demand side for Canadian cultural products, by emphasizing *niche marketing* and *programming excellence*, and supporting increased access and awareness, will also lead to increases in economic activity which, over time, will help to moderate the public investments needed to support them.

The Committee proposes that a creative and comprehensive, economics-oriented approach to funding of culture and communications be developed by the federal government. We believe that emphasis on research and development, particularly in niche marketing prospects for cultural and communications products, could lead to significant economic impacts as the result of both expanded domestic and international markets. Such economic gains would complement increased cultural contributions to our sense of identity, pride and accomplishment as a nation.

### Private Sector

The private sector has made, and will be required to continue to make, huge investments in telecommunications, broadcasting, and the other cultural industries. Because of the competitive nature of these industries, few specific figures are available, but Telecom Canada did tell us that:

*Our member companies' total investment in construction each year is about \$4 billion. — J.H. Farrell, President, Telecom Canada (Issue 24:8).*

He went on to state the commitment of Telecom members to making the large investments necessary to keep Canadian industry at the leading edge of technology:

*We are committed to keeping Canada at the leading edge of telecommunications. We are spending R and D funds now on integrated voice, text and image teleconferencing... — (Ibid., Issue 24:9).*



Notwithstanding these large expenditures and commitments to research and development, international comparisons consistently show Canada as ranking low in terms of per capita expenditures on communications and information technology. Furthermore, these investments in future development are required from industries already faced with serious economic challenges:

*Economically our industry is in crisis. It will not improve even when the current recession starts to turn around unless the necessary legislative and regulatory climate is created to make a return to profitability possible.*

*After five years of decline, private TV is at its lowest level of profitability ever, with after tax profits of only \$900,000 in 1990, or 0.1 percent of operating revenue.*

*Private radio's after tax loss in 1990 was \$26 million, or minus 3 percent of total revenues. — Michel Tremblay, Executive Vice-President, Canadian Association of Broadcasters (Issue 27:5).*

*(The Canadian program production industry)... is unbalanced in its financing. It is heavily reliant upon public funds and the public purse through Telefilm Canada. There is today almost no ability within the industry to raise private investment in the way there has been in the past. — Peter Mortimer, Director, Policy and Planning, Canadian Film and Television Production Association (Issue 9:22).*

It is imperative that the federal government examine closely its own economic, fiscal and regulatory policies with respect to encouraging, (or at least not discouraging), increased private sector investment in these crucial cultural areas.

With respect to business philanthropy in support of arts and culture, there is substantive evidence that the private sector is taking on an increasing share of the partnership responsibility for supporting Canadian cultural development.

*Broadcasters across this country have committed over \$17 million in 1990 to develop new Canadian talent. — Michel Tremblay, Executive Vice-President, Canadian Association of Broadcasters (Issue 27:6).*

*Every year, private radio and television stations across Canada donate over \$150 million worth of air time and raise another \$110 million for good causes. — Emmanuelle Gattuso, Senior Vice-President, Canadian Association of Broadcasters (Issue 27:7).*

*The businesses represented by the CBAC... invest in the art of their communities. The private sector gave over \$90 million to the arts last year. Surely that is an expression of a perceived value. — Council for Business and the Arts, Brief (Issue 23A:3).*



### Individual Citizens

Public opinion surveys have demonstrated that individual Canadians are highly supportive of culture. They demonstrate their support directly in many and material ways: through attendance at performances, events, and heritage institutions and sites; through purchases of Canadian cultural products; through donations to arts and heritage organizations; and, most importantly, through their willingness to volunteer time and expertise to assist cultural organizations in achieving their objectives. In fact, this Committee believes that another significant source of subsidy to the arts and heritage in Canada is that provided by the huge and dedicated army of Canadian citizens of all ages who volunteer countless hours of service without remuneration, other than the knowledge of having contributed to an important cause.

### Some Comparisons

The 1986 *Report of the Task Force on Funding of the Arts* (the Bovey Report) included some sixty separate recommendations related to funding of performing and visual arts activities in Canada. To date, much of the increased burden for funding of the arts has fallen on the arts community itself. Some federal initiatives have been taken related to the status of the artist, improved management and marketing, and funding of museums, and some minor increases have occurred in private sector funding. However, figures provided to us by the Council for Business and the Arts indicate that, in the decade between 1980-81 and 1989-90, the proportion of revenues from government grants to arts dropped from 38 percent to 32 percent. During that same period, earned arts revenues have risen from 49 percent to 54 percent, while the proportion raised from private donations has increased from 12.4 percent to 14 percent.

Instead of government support increasing at a rate faster than inflation, as recommended by the Bovey Report, *government funding in the cultural sector has failed to keep pace with inflation!* This conclusion is verified by figures provided to the Committee by the Department of Communications in June of 1991, representing appropriations to agencies in comparable years, which showed that the total amount of \$1.627 billion provided in the estimates for 1991-92 must be compared with \$1.708 billion spent in 1984-85, measured in constant 1991-92 dollars. This demonstrates that *real* expenditures in the most current year for these agencies have declined and are *lower* than seven years ago. As a matter of passing interest, the comparable amount contained in the 1992-93 estimates is \$1.713 billion, the increase being largely accounted for by additions to the CBC budget in recent months.

*The Council's major concern in recent years has been adequate funding to enable it to fulfil its mandate. The Council's parliamentary appropriation for the current year for its ongoing programs in support of artists and arts organizations is frozen, as it has been since 1986-87. In real terms, our funding has been shrinking for many years. The average real value of Canada Council grants to arts organizations has declined by 30 percent since 1978-1979. — Allan Gotlieb, Chairman, The Canada Council (Issue 31:9).*



## Economic Impacts

As we saw from the Statistics Canada data in Chapter Two, the Government of Canada currently spends almost \$3 billion on culture annually. These are gross expenditures, on which there are *direct revenue recoveries of about \$650 million*. In 1989-90, these expenditures helped to generate a *direct economic impact* of \$11.3 billion (nearly \$8 billion of which was in the form of salaries and wages) and over 300,000 jobs. This amounted to 1.97 percent of the Gross Domestic Product (GDP). Statistics Canada also valued the *indirect economic impact* of the arts and culture sector at a further \$5.8 billion in 1989-90, bringing the *total contribution* to \$17.2 billion, or 2.99 percent of GDP. The corresponding number of jobs created directly and indirectly totalled more than 450,000. Export sales by cultural industries grew from \$924 million in 1984 to \$1.3 billion in 1989 — a gain of 44 percent in five years.

*In 1990, the carriage industry alone accounted for 2.7 percent of the Gross Domestic Product, making the telecommunications industry larger than any of the traditional Canadian resource mainstays.*

<i>Agricultural and related services</i>	<i>2.3 percent</i>
<i>Logging and forestry [Harvesting only]</i>	<i>0.6 percent</i>
<i>Mining</i>	<i>1.2 percent</i>

*Source:* Department of Communications, Fact Sheet accompanying the recently tabled Telecommunications Act (Bill C-62)

Looking at culture and communications from a different perspective — *how Canadian families spend their annual income* — we find corroborating evidence that these sectors are of increasing importance to Canadians. Statistics Canada's Family Expenditure Survey data indicate that, between 1969 and 1990, expenditures on *culture and recreation* and on *communications services* had annual growth rates of 9.78 percent and 9.75 percent respectively. In 1990, expenditures on recreation and culture represented 9.20 percent of total family expenditures on goods and services, while expenditures on communications services represented 1.87 percent. This ranked culture and recreation fourth in terms of the major expenditure categories — after shelter, food, and transportation.

## Future Cultural Investments: Federal Government

Our Committee believes that culture and communications are not only key factors to a renewed spirit of unity in Canada, but they are truly growth industries of great promise which offer high potential for return on investments by government. We shall now depart from Statistics Canada data to examine the 1992-93 Main Estimates as the basis for illustrating some projections for future federal expenditures on culture and communications. We have restricted our focus to the expenditures represented by the Department of Communications and those agencies for which its Minister is (or soon will be) responsible to Parliament; also including the Parks Program of the Department of Environment, and the National Battlefields Commission (Table 3.1).



Table 3.1 — Main Estimates, 1992-93: Culture and Communications Portfolio

	(\$ million)
Communications Canada	424.7
World Exhibitions Programs	0.6
The Canada Council	108.4
Social Sciences and Humanities Research Council	102.1
International Cultural Relations	31.6
Canadian Broadcasting Corporation	1,112.4
Radio Canada International	14.7
Canadian Museum of Civilization	40.7
Canadian Museum of Nature	19.5
Canadian Radio-television and Telecommunications Commission	37.8
National Archives of Canada	62.4
National Arts Centre	22.5
National Film Board	81.7
National Gallery of Canada	29.9
National Library of Canada	45.5
National Museum of Science and Technology	16.5
Telefilm Canada	145.1
Parks Program	413.6
National Battlefields Commission	6.8
<b>TOTAL</b>	<b>2,716.5</b>

Source: Govt. of Canada, Main Estimates 1992-93

Our Committee feels that, for reasons we have described and shall reiterate, federal government spending on culture and communications must increase to a new threshold over coming years. Such new investment may come in several ways, but we shall illustrate by addressing the traditional direct budget format.

Using the 1992-93 total of \$2.716 billion as a base, we have developed five hypothetical scenarios for looking at the impact of a wide range of possible increases in current dollars over four years without adjustments for inflation, as follows: (i) a flat increase of \$1 billion; (ii) rising to three percent of total program expenditures; (iii) rising to two percent of total budgetary expenditures; (iv) maintaining 0.38 percent of GDP, or (v) rising to 0.40 percent of GDP.



Table 3.2 — Scenarios for Impact of Future Spending

1992-93	1993-94	1994-95	1995-96	1996-97	% of Threshold Increase over Four Years	Cumulative Cost Over Four Years
Current dollars (\$ million)						
<b>Option 1: A Flat Increase of \$1 Billion over Four Years</b>						
New Appropriation Levels:						
2,716.5	2,966.5	3,216.5	3,466.5	3,716.5	(36.8%)	2,500.0
<b>Option 2: An Increase to 3% of Total Program Expenditures</b>						
Total Estimated Program Expenditures:						
119,400	119,850	124,100	128,050	131,900		
Culture and Communications						
as a % of Total Program Expenditures:						
2.28	2.45	2.65	2.85	3.00		
New Appropriation Levels:						
2,716.5	2,936.3	3,288.7	3,649.4	3,957.0	(45.7%)	2,965.4
<b>Option 3: An Increase to 2% of Total Budgetary Expenditures</b>						
Total Estimated Budgetary Expenditures:						
159,600	161,300	165,700	169,800	173,300		
Culture and Communications						
as a % of Total Budgetary Expenditures:						
1.70	1.80	1.85	1.90	2.00		
New Appropriation Levels:						
2,716.5	2,903.4	3,065.5	3,226.2	3,466.0	(27.6%)	1,795.1
<b>Option 4: Maintain at 0.38% of Gross Domestic Product</b>						
Estimated Gross Domestic Product (GDP):						
713,600	769,200	828,300	887,200	945,600		
Culture and Communications as a % of GDP:						
0.38	0.38	0.38	0.38	0.38		
New Appropriation Levels:						
2,716.5	2,923.0	3,147.5	3,371.4	3,593.3	(32.3%)	2,169.1
<b>Option 5: Increase to 0.4% of Gross Domestic Product</b>						
Estimated Gross Domestic Product (GDP):						
713,600	769,200	828,300	887,200	945,600		
Culture and Communications as a % of GDP:						
0.38	0.385	0.39	0.395	0.40		
New Appropriation Levels:						
2,716.5	2,923.0	3,230.4	3,460.1	3,782.4	(39.2%)	2,529.8



Based on some sample criteria, these calculations illustrate hypothetical increases in the budget for culture and communications ranging between 27.6 percent (to a new threshold of \$3.47 billion) and 45.7 percent (to a new threshold of \$3.96 billion) over a four-year period. At the higher levels, these are obviously beyond the realms of reason or responsibility, but we do feel that the lowest level merits at least cautious consideration. In fact, we have settled upon *a target in the order of five percent per year over five years* as a possible rate of increase to new budget thresholds for federal culture and communication expenditures in the medium-term future.

Our Committee shares the current mood of resolve and responsibility to practice financial restraint, but we also believe we are addressing an area of critical importance to Canada. As well, we have taken note of the economic impacts which cultural and communications investments generate to the GDP. We are mindful too, of the realities of the federal government's commitment to Bill C-56, the *Spending Control Act*, which effectively limits overall increases in federal expenditures to an annual limit not exceeding three percent. Thus, we recognize from the start that to a considerable extent the recommendation we are making will be impossible of implementation in the short term, unless accomplished by shifting of other government priorities, or unless qualifying as an exceptional exclusion under the provisions of Bill C-56.

Nevertheless, we do feel it important for the record at least, if not indeed for ultimate and serious consideration, that we express our strong support for significantly increased funding of cultural and communications development. We are alarmed by evidence that Canada's investment in cultural affairs has been *diminishing in real terms* over recent years, and inflation increases have been omitted in many areas. There is an exceptional need to remedy those omissions. As well, we are convinced that cultural malaise is at the root of many of Canada's constitutional conflicts, and there is compelling rationale for new investment in the renewal of Canada's cultural spirit. We firmly believe that the promise of Canada's constitutional future is at stake, and it is in that sense of priority that we do make the following recommendations advisedly. It is our intent that the total dollar increase recommended, while illustrated and advanced in a direct budget context, would pertain broadly to all areas of support for culture and communications, including indirect measures such as taxation incentives. Given the low levels of inflation predicted over the next few years, these increases would provide real and substantial improvements in funding levels.

**RECOMMENDATION No. 5**—The Committee recommends that, as an investment in the future of our Canadian society and in support of the growth potential of cultural industries, both domestically and internationally, the Government of Canada target an increase in its current budget investments in culture and communications in the order of five percent annually over the next five years.



**RECOMMENDATION No. 6** — The Committee recommends that the Government of Canada initiate a comprehensive strategy of incentives to encourage and motivate high levels of philanthropy and volunteerism in support of cultural activities in Canada.

### 3F. AWARENESS AND ACCESS

Awareness of, and participation in, cultural activities enhances an individual's sense of identity and of belonging to a society. It is important that cultural activities be perceived as easily accessible, and not considered "high brow" or restricted only to the wealthy and elites of society:

*Little thought appears to have been given to the necessity and the responsibility of a society to make sure that its citizens can have the opportunity of actually familiarizing themselves with their culture by having access to it. — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:29).*

*...access to the performing arts is becoming increasingly expensive, and as it becomes increasingly expensive, it becomes increasingly exclusive. — (Ibid., Issue 4:30).*

*We need to be able to ensure that those outside major cities are not condemned to live in a cultural wasteland because there is no means of providing cultural experience... one of the fundamental difficulties in this country is its size, its geography. — (Ibid., Issue 4:30).*

One way of increasing access to, and awareness of, our extremely rich culture and heritage is through the touring of performing arts companies and the mounting of travelling exhibitions. However, these measures are expensive, and cost money which our struggling arts companies and heritage institutions do not have:

*Touring is extremely expensive for a ballet company or a symphony orchestra, simply because of the number of people who have to go on the road. Putting them in hotels and feeding them and getting them on airplanes is very expensive. — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:97).*

The Professional Association of Canadian Theatres (PACT) stated that "as the touring money dries up" they have had to rely increasingly on festivals as sources of funding to stage performances outside of their own communities. (Issue 16:14)

Committee members echo the strong feelings of the cultural community that increased national access to national performing arts is an area in which the federal government must play a special role in its quest to enhance a common cultural spirit in Canada:

*There is definitely a dearth in this country of the ability for people in different parts of the country to see culturally what is going on in the other parts of the country. — Greg Graham, National Director, Canadian Arts Representation (Issue 20:84).*



*...in the current constitutional discussion, in the current renewal process of Canada, a better understanding of the cultural resources and our cultural heritage by all Canadians might inspire the kind of imagination and generosity we need to make this a successful process. — Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:13).*

*... there was almost nothing happening between the two language groups in this country until the early 1970's... but in 1991 you find French Canadian plays being translated and performed all the way across Canada. It has been slower to happen the other way around... but it is beginning. — Mallory Gilbert, President, Professional Association of Canadian Theatres (Issue 16:14).*

*... the Canada Council's current commitment to domestic touring, as opposed to External Affairs' commitment to international touring of major orchestras, is very small. It is not able to offer enough assistance for any of us to undertake major tours to other parts of the country. — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:97, 98).*

Another witness spoke of her organization's dreams for increased travel and exchange programs for children:

*A dream we have is that perhaps the day may come when every Canadian child, before he has finished his school years, before he has matriculated, will have not only visited some other part of the country, but have visited the capital city. — Elizabeth Bayer, Chair of the Board of Governors, Heritage Canada (Issue 21:36).*

Committee members share that vision. We believe that federal travel and exchange programs for youth are important to developing "*the ties that bind*". In fact, were it not beyond, our Committee's terms of reference, we would be recommending special transportation programs to "know Canada" for all Canadian citizens. The recently announced *Voyageur Canada '92* initiative by the Secretary of State and Air Canada is a positive step in this direction.

The Committee believes that a comprehensive *national cultural awareness program* would be an extremely important element in government strategy to strengthen the arts, heritage and cultural industries. If properly conducted, there is every indication that it could generate a shared and expanded interest in culture and heritage among average Canadians. It is hoped that this would lead to increased purchases of Canadian works of art, to increased attendance at museums, historic sites and performing arts events, and to increased private support for the arts and heritage through donations, volunteer activities and sponsorships. As well, there would be more demand for Canadian television and cinema programming, and for books, magazines and sound recordings. One need only consider the effect of the federal *ParticipAction Program* for physical fitness, and observe the industries that have emerged to serve the growing demand for health activities and fitness products, to contemplate the prospective economic impact of a similar campaign in the cultural sector — increased product



demand, leading to increased revenues and employment, leading to increased cultural substance in Canadian life. A greater knowledge and awareness of culture and heritage will strengthen local, regional and national identities throughout Canada.

A number of national cultural associations, but principally the Canadian Conference of the Arts, have been exploring the development of such a public awareness program and now indicate that they are ready to proceed:

*It has long been the aspiration of the cultural community to embark on a public awareness program to better acquaint the people of Canada with the cultural wealth that we enjoy... Through the imaginative use of the mass media we believe that it is possible to achieve the results of the 'ParticipAction' campaign that was so successful in the area of fitness and amateur sports. It is hoped that such efforts will be brought to fruition ... in 1992. — Canadian Conference of the Arts, Brief, p. 10.*

*We would like to be able to generate greater public interest in museums. As the national association, we are in an excellent position to encourage an even broader public appreciation of Canadian culture and heritage through a "ParticipAction" styled public awareness program. — Canadian Museums Association, Brief, p. 3.*

We sound two notes of caution however, with respect to such a public awareness program: first, it would seem better to build on the knowledge and experience of existing programs such as *ParticipAction* and *Imagine*, than to start at the beginning with new infrastructure solely from within the cultural community; and, second, we suggest the desirability of a single campaign for the entire cultural community — the arts, cultural industries and heritage combined.

**RECOMMENDATION No. 7 — The Committee recommends that the Government of Canada initiate and co-sponsor, with other levels of government and the private sector, a national campaign to promote increased public knowledge and awareness of, and participation and pride in, Canada's diverse cultural values and activities.**

### 3G. THE CANADA COUNCIL

Virtually any discussion of the performing and visual arts in Canada must begin by recognizing the outstanding contribution made by the Canada Council to Canadian cultural development. As two witnesses expressed it:

*What [the Canada Council] accomplishes every year, with only four tax dollars per Canadian, is nothing short of miraculous. — Duncan McIntosh, Artistic Director, Professional Association of Canadian Theatres (Issue 16:10).*

*The Canada Council and its art bank are the envy of the world. While European and Pacific Rim governments are studying this success story as an example of how to do things right, the council is unable to keep pace with*



*inflation in its support for the performing arts, which devour most of its budget, let alone provide anywhere near adequate financial stimulus for new creativity. — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:76).*

*When I came back to Canada after 16 years to work with the VSO and became more thoroughly acquainted with the work of my colleague orchestras, with our major opera company in Toronto, with our marvellous ballet companies, I was astounded at what had been achieved in the 16 years I was away.*

*The level of achievement of these major institutions stands up extremely well on the international platform as well as in Canada. I think that is a tribute to the Canada Council for its years of intelligent strategic investment... — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:81).*

In the thirty-five years since the establishment of the Canada Council in 1957, there has been an explosion of artistic activity in Canada. While there are no accurate sources of relevant data for the entire period, we can confirm the rapid growth in recent years. The Canadian Conference of the Arts told us that culture is one of the fastest growing segments of the economy, at rates of about 100 percent over the past five years (Issue 3:6). Statistics Canada data confirm this growth for the performing arts. In the four-year period from 1984-85 to 1989-90, the Statistics Canada survey of performing arts companies shows the following: the number of companies responding grew by 41.8 percent (from 249 to 353); wages, salaries and fees grew by 41.0 percent (from almost \$127 million to over \$179 million); total operating expenditures grew by 51.2 percent (from \$212 million to almost \$321 million); and, attendance grew by 38.4 percent (from 10,883,080 to 15,059,261). (Statistics Canada: Survey of Performing Arts Organizations)

Yet, the Committee found a clear anomaly — on the one hand, rapid growth in artistic activity; on the other, strong pleas for increased government assistance to deal with serious problems. Our witnesses addressed this issue:

*On one hand, the position of the cultural sector has never been stronger... Yet persistent and profound changes in the ecology within which Canadian cultural expression must survive and flourish have greatly complicated the prospects for this continued growth. — Susan Annis, Associate Director, Canadian Conference of the Arts (Issue 3:6).*

*Our artists today enjoy an international reputation that has eluded previous generations. Yet, like most prophets, they are without honour in their own country. — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:75).*

These contradictions lead the Committee to feel that, while the Canada Council has had enormous success in achieving its objective of stimulating artistic growth in Canada, perhaps it is now time for the Council to review and revise its focus where necessary to meet the new challenges of a developing and maturing arts sector in Canada. In doing so, there will obviously be need for funding resources equal to the growing task.



*For years the Council has been politely but unsuccessfully asking for inflationary increases to its funding. The situation is now critical for all Council clients. If the miracle work is to continue, it needs to be given sufficient resources to continue to do its job. — Duncan McIntosh, Professional Association of Canadian Theatres (Issue 16:10).*

*We have unfortunately reached a point where the Council needs a significant increase in its budget simply to maintain present levels. — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:76).*

*... we're going to be pressing hard for additional funds to the Canada Council. — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:77).*

The Committee notes with interest the proposed changes recently announced in the 1992 Federal Budget to combine the Social Sciences and Humanities Research Council and the International Cultural Affairs Program of the Department of External Affairs with the Canada Council. While we are not in a position to evaluate the implications of these moves for Canadian cultural development, nevertheless we believe they add weight to our call for a review of the mandate and the funding for the Canada Council.

**RECOMMENDATION No. 8 — The Committee recommends that the Government of Canada review the mandate of the Canada Council, with a view to strengthening its role in support of Canadian cultural objectives; further, that federal funding for the Canada Council be made consistent with its mandate.**

### 3H. THE ARTISTS AND THE ARTS

In any development of cultural policy, the artist and the arts must be central issues. This principle was advanced convincingly throughout our hearings:

*If the government is serious about a strong Canadian identity, it must, in a clear and consistent manner, support the efforts of Canadian artists to speak to and about Canadians. It must advance the arts on its list of priorities, and it must acknowledge that the arts play a vital role in developing and sustaining a sense of what it means to be a Canadian. — Katherine Smalley, Executive Director, Professional Association of Canadian Theatres (Issue 16:13).*

*... developing the art of orchestra performance has taken a back seat to survival. Survival is now the number one priority; everything else is secondary. Never before has the future looked so bleak or the development of our musical talent looked less promising, because never has the cultural life of this country been such a low priority for our politicians. Cultural policy has become the sacrificial lamb on the altar of balanced budgets. — Association of Canadian Orchestras, Brief, p. 5.*



*An important principle for us is the principle of freedom: freedom of the artists to be able to create, freedom of the audiences to be able to have access to the artist and so on. One of the things that flows from that principle is the need for the funding relationship with the artists and with the industries in which they work to be one in which there are no limits, no restriction on their ability to create freely. — Garry Neil, General Secretary, Alliance of Canadian Cinema, Television and Radio Artists (Issue 25:14).*

*It is incumbent on the federal government to demonstrate its understanding of the fundamental social contribution made by artists in Canada, of the complexity of our cultural heritage and the “work in progress” nature of Canadian identity. There can be no better way of doing so than by reinforcing the existing structure of arm’s length funding and by promoting the development of similar agencies across Canada, by establishing more permanent funding programs such as the 1% for Art and annual minimum income, by developing a comprehensive legislative framework to support Canadian artists, and by developing mechanisms by which artists can participate more fully in the decisions that affect them. — Association of National Non-Profit Artists’ Centres, Brief, p. 10, 11.*

Foremost among the problems and challenges facing arts organizations are rising costs and decreasing attendance, primarily as the result of the current recession, but also exacerbated by such new expense factors as the Goods and Services Tax (GST).

*... although... it is very difficult to quantify exactly the impact of recession versus the impact of the GST, we have seen a decline over our membership in ticket sales over the last year. Since on average, earned revenues constitute fifty percent of an orchestra’s budget, we are talking about a very severe impact indeed. — P. Diane Hoar, Member of the Board, Association of Canadian Orchestras (Issue 24:78).*

*The current recession and the imposition of the Goods and Services Tax have brought presenters’ audiences to the wall in terms of price resistance. — L. Peter Feldman, Executive Director, Canadian Arts Presenters (Issue 29:32).*

For individual artists, leading concerns include decreasing employment opportunities, low income levels, inequitable tax treatment, minimal social benefits and the need for improved training and professional development. In its May 1990 response to our report on the status of the artist, tabled by the Standing Committee on Communications and Culture in January 1990, the Government recognized “that one of the most acute problems for artists has been the fluctuation in their income from year to year”. In its response, the Government listed the amendments introduced to the *Income Tax Act* which reduce the negative effects of fluctuations in the income of artists and made reference to the amendment introduced through pension reform which allows artists to average their income for retirement purposes by reducing their tax burden in peak income years. The Government also stated in its response that “the Department of Communications and Finance will review the beneficial impacts of



income tax reform and pension reform on the tax situation of artists in order to determine the need for specific income averaging for artists". (*Government Response to the Report of the Standing Committee on Communications and Culture Respecting the Status of the Artist*, May 1990, p. 12) The Committee is of the view that artists still receive inequitable tax treatment due to the fluctuation of their income from year to year and urges the Government to continue its efforts to establish specific income averaging measures for artists.

In fact, we have frequently been reminded that artists themselves probably provide the greatest subsidy to the arts in Canada:

*Most of our artists — and this was noted by the Applebaum-Hébert committee when it made its report in 1982 — are the largest patrons of the arts. As the committee report said, the greatest subsidy comes from the artists themselves through lack of payment or underpayment. We have an extraordinary generation of artists in all fields who are living at the bottom of the income scale. Often they work for nothing or very little. — Susan Crean, Chair, Writers' Union of Canada (Issue 13:7).*

The Committee concurs with those who call for improved career opportunities and conditions for professional artists. We believe that the federal government can help deal with these issues through such broad policy and legislative measures as the proposed *Status of the Artist Act* (Bill C-7), as opposed to merely increasing grants for individual artists. A more comprehensive and constructive labour relations and collective bargaining system for artists, for example, will help contribute directly to improving their financial prospects. Witnesses from the arts community echoed these thoughts:

*... the status of the artist legislation... will go a long way toward creating an environment much more supportive of the creative artist. — Susan Annis, Associate Director, Canadian Conference of the Arts (Issue 3:19).*

*The number-one priority for us at the moment is Status of the Artist legislation. There's no doubt about that. It is legislation designed to recognize the contribution that individual artists make to our society and then to reflect statutorily the conditions under which they work. Such legislation will not cost the government money, and yet will do a lot of good for individual artists. — Garry Neil, General Secretary, Alliance of Canadian Cinema, Television and Radio Artists (Issue 25:41).*

While support for legislation in this area was unanimous among arts groups, some concerns were expressed about the *Status of the Artist Act* (Bill C-7) as presently drafted:

*We are concerned about the issue of the closed shop because artists' associations exist as collectives...*

*...we would be in a situation in which we were unable to control our members because that legislation allows the access of anybody into the collective agreement, if you like, whether or not they are members. But in the business we*



*are in, there is an absolute necessity for us to be able to ensure that our members are going to deliver a professional job. — Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:41).*

*Even in the bill on the status of the artists, artists are marginal. That is not a bill for artists, it is a bill for artists' organizations and institutions. — Greg Graham, National Director, Canadian Artists' Representation (Issue 20:78).*

The *Status of the Artist Act* (Bill C-7), is currently before this Committee for legislative review. We are proceeding with its study on a priority basis, and will report to Parliament at the earliest opportunity.

### 3I. RIGHTS TO COMPENSATION, COPYRIGHT

Fair compensation to artists for use of their creative work must be a fundamental principle of a country's cultural policy. In the provisions of the proposed *Status of the Artist Act* (Bill C-7), the Government of Canada recognizes the importance to artists that they be compensated for the public lending of their works. However, no explicit measures are contained in the bill to implement this principle. *Copyright legislation*, therefore, is the principal (but not the only) means by which a country can ensure equitable remuneration for its artists. Many witnesses stressed the need for revisions to Canada's existing copyright laws:

*The cornerstone of a profitable music industry in Canada is good copyright legislation... Canada's copyright laws are nothing short of a disgrace. — Brian Chater, Executive Director, Canadian Independent Record Production Association (Issue 17:5).*

*Copyright is the right of ownership in intellectual property that provides the economic basis and the ability to seek compensation for the exploitation of that intellectual property...*

*Canada's culture is made up of copyrights. Those copyrights deserve to be fairly compensated when they are exploited. Canada's copyright law must facilitate fair compensation. — Michael Rock, Chief Operations Officer, Society of Composers, Authors and Music Publishers of Canada (Issue 30:73).*

*In 1988 there were amendments to the Copyright Act... Since 1988 we have not seen the second bill... We are very interested in urging the government to bring forward the second-phase amendments to the Copyright Act. — Karen Adams, Executive Director, Canadian Library Association (Issue 9:6).*

In 1988, the House of Commons passed amendments to the *Copyright Act*. At that time, the Government indicated that these amendments were merely *phase I* provisions, and that *phase II* would be forthcoming shortly. To date, however, this has not happened. Among other



things, these second stage amendments were to deal with complex issues such as *performing rights*, *ephemeral rights*, *neighbouring rights*, and a *distribution right*. In addition, questions were to be resolved about copying materials for educational purposes, about a proposed royalty on the sale of blank tapes, and about compensation to visual artists for the public showing of their works. The commentary by witnesses about copyright and related issues has been compelling:

*... many other countries around the world have introduced a royalty on blank tapes because of the problem of home taping. The revenue from that royalty goes to the producers, artists, and cultural community. That would relieve some of the pressure from the government. — Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:10).*

*... home taping — the reason the royalty is recommended — is the biggest problem the music industry has in Canada. We estimate that we lose as much as we sell... Unit sales of sound recordings in Canada have declined from 94 million in 1979 to 52 million last year... Music is the most easily stolen product in the world. — Brian Robertson, President, Canadian Recording Industry Association (Issue 4:15).*

*The way of regulating it (use of music videos on satellite music channels) is through a performing right... If we have the performing right, we have the ability to receive compensation and to control the product coming in... You would sample it in the way SOCAN does all the radio or television stations in Canada. — (Ibid., Issue 4:21, 22).*

*Copyright is supposedly a complex subject. It is not. In fact, it can be reduced to two simple phrases that all Canadian's will understand: 1) If you use it, pay for it; 2) Don't steal other people's property. — Brian Chater, Executive Director, Canadian Independent Record Production Association (Issue 17:5).*

*Specifically, the three rights that we are particularly concerned with are the so-called neighbouring right, the record rental right, which is in fact an application to stop the rental of CD's... (and) the home taping right. — (Ibid., Issue 17:8).*

*Educational people I've talked to... most of the time do not object to a reasonable payment. Their problem... is that if they cannot get clean instant access and be ensured they will not be infringing, then they have a real problem. — (Ibid., Issue 17:11).*

*The U.S. Copyright Act embodies a "distribution right" which secures the exclusivity of American publishers' agreements with foreign companies they represent in the U.S. market (Section 106). The U.K. Copyright Act also carries a "distribution right". Penalties are severe for those who buy around the authorized domestic publisher-agent. Canada's book publishers require a level playing field — an amendment to our Copyright Act which affords us at least equal protection. — Canadian Book Publishers' Council, Brief, p. 6.*



*To sum up, the Canadian legislator has to do his homework because we urgently need amendments on private copy and we do not need any exemptions. We do need a definition for SOCAN and we might need an amendment on neighbouring rights. — François Cousineau, Vice-President, Society of Composers, Authors and Music Publishers of Canada (Issue 30:80).*

As this sampling of extensive evidence indicates, the cultural community has a strong stake and interest in seeing the federal government proceed with *phase II* of copyright legislation. Our Committee shares their concern and impatience in this regard:

**RECOMMENDATION No. 9** — The Committee recommends that, in recognition of the rights of artists to be fairly compensated for the use of their creative works, the Government of Canada introduce measures, including amendments to the *Copyright Act*, that provide an equitable balance between the interests of artists and the users of their works.

### 3J. CULTURAL INDUSTRIES

Representatives of Canada's cultural industries — broadcast programming and production, film and video, sound recording, book, periodical and newspaper publishing — were forceful in stressing the importance of their roles in the development of the Canadian cultural spirit and identity. Here are only a few representative quotations:

*... private broadcasters... contribute to a shared Canadian identity and pride in Canadian citizenship.*

*We do so through our programming. We contribute by making our communities better places to live in. We enrich the fabric of Canada by encouraging and promoting dialogue among Canadians. — Michel Tremblay, Executive Vice-President, Canadian Association of Broadcasters (Issue 27:5).*

*Movies, but to an even greater extent television, pervade many aspects of most Canadian lives at every age. By virtue of many studies originated here and elsewhere these media are widely recognized to be the most influential in the world today when it comes to shaping opinions, communicating values, even while they entertain and inform. — Canadian Film and Television Production Association (Issue 9A:2).*

*The character of a nation is, in many respects, defined by its culture and the image it presents to the world. The image-makers are often a product of its culture, with its singers, songwriters and musicians playing a prominent role in the international marketplace. — Brian Robertson, President, Canadian Recording Industry Association (Issue 4:5).*



*If, as has long been the case in this country, the viewer is given a mirror that reflects not him but somebody else, he will get a very distorted idea of what he is really like. To know ourselves, we must know our own literature. — Roy MacSkimming, Director, Association of Canadian Publishers (quoting from Margaret Atwood in *Survival*) (Issue 11:5).*

*... if the newspaper is the mirror of the community I guess we're the mirror of the regions, the mirror of the country in many ways, as we try to report the activities of Canadians to other Canadians. — Keith Kincaid, President, Canadian Press (Issue 30:6).*

### **Broadcast Programming, Film and Video**

We have identified four major issues which dominated Committee discussions concerning Canadian film, video and broadcasting industries: (i) the advent of multi-channel direct broadcast satellites; (ii) the need to focus investment in programming excellence; (iii) the need to develop special niche markets for cultural products; and (iv) the need for innovative incentives to attract production financing.

All players in the cultural and communications sectors recognize the threat posed to Canadian broadcasting and related industries by the imminent intrusion on the Canadian scene of the 100-plus channel, direct broadcast satellites such as SkyPix and Hughes/Huffard, which are slated to be on North American airwaves by 1994:

*The onset of such services into our country...threatens the future viability of cable...; it threatens Canada's conventional broadcasters who are already in a seriously weakened condition...; it therefore threatens the ability of Canada's artists and independent producers to continue to make relevant Canadian prime time programs. — Canadian Film and Television Production Association, Brief (Issue 9A:6).*

There was virtually unanimous recognition among our witnesses that it will be technologically impossible to prevent this foreign satellite programming from reaching Canadian home markets, and that regulation would not be an effective instrument in attempting to do so:

*I don't think you can bar the U.S. DBS. Their satellites cover all populated Canada...*

*So that programming will be available. We can declare it illegal and require licensing, but it will still be bought by Canadians. — Eldon D. Thompson, President and Chief Executive Officer, Telesat (Issue 10:39).*

*We are looking at SkyPix very closely at the moment and will determine what regulatory approach will be most appropriate and effective to deal with this potential threat to the Canadian broadcasting system. One option that is certainly not open to us, however, is to simply close our border to this electronic*



*signal invasion. Both technically and in terms of public opinion, that is impossible.* — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:7).

Both our witnesses and our Committee members agreed that, in the face of this technological threat, the only sure way of maintaining the demand and availability of Canadian broadcast programming in domestic markets would be through an intense emphasis on *niche marketing with high-quality domestic productions*.

*... one realistic method for dealing with this competitive threat is for our Canadian system to offer more distinctively Canadian alternatives... In a marketplace where positioning is key, offering unique, high-quality Canadian content is not a burden; it is a marketing advantage...* — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:7).

The case for major investment in Canadian cultural programming excellence was made in many ways, including a comparison with education:

*... we spend... tens of billions a year for our children's education... let's spend a few dollars more for them to watch programs that carry our own values when they are at home...*

*If we lose the children, if we lose the teenagers, let's not kid ourselves; in ten years time, in fifteen years time, these people are not going to watch our television, they are going to watch somebody else's...* — Pierre DesRoches, Director General, Telefilm Canada (Issue 20:19).

A submission from the film and television industry stressed the need for “a collaborative strategy for survival and success” which focuses on quality programming:

*Already, both the CAB [Canadian Association of Broadcasters] and CCTA [Canadian Cable and Television Association] acknowledge that programming must be the centrepiece of any industrial strategy... The world over, people watch programs not delivery systems.* — Canadian Film and Television Production Association, Brief (Issue 9A:11).

Several witnesses addressed community cable television and the desirability of finding innovative financing for expanded public affairs television. The cable industry association spoke of the importance of community cable channels in competing for domestic audiences against foreign satellites:

*... people will still want local programming. You can have a satellite dish with 100 channels in your backyard, but satellites aren't local. The community channel and local programming, the involvement of people in the community, is something that will continue to be very important, I think.* — Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:37).



*... it's interesting that in Canada (the community channel has) evolved to become an obligation; in the United States it's a competitive advantage. — (Ibid., Issue 20:52).*

These witnesses also saw technology leading to increased program availability, in turn permitting much greater viewer choice:

*we see happening a fundamental change in how people are viewing television...*

*What we will be dealing with is a consumer who wants to watch what he or she wants to watch, when they want to watch it.*

*... the whole technology is going to more specialization, with techniques like digital video compression, fibre optics and developments in computerization... All three of those things, consumers, advertising, and technology, are all driving toward a more specialized kind of environment where people will have more choice and will demand more choice... — (Ibid., Issue 20:37).*

These realities about technology and marketing have led witnesses to conclude that excellence in distinctively Canadian programming will be the surest approach for Canadian producers to reach and build audiences both at home and abroad:

*Canada itself is our niche. The Americans can dump 200 or 300 channels on us, but they are never going to dump Canadian channels on us... all of us involved in this have a major psychological turnaround to effect in our thinking. — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:10).*

*Quality Canadian content programs which are competitive with the other options available to viewers are now seen as the primary means whereby Canadian services can become distinctive among the growing competition from US services. The ability to build "identity" by offering consistent quality Canadian programs is held to be the way to retain, and even to build, audiences for the future. — Canadian Film and Television Production Association, Brief (Issue 9A:4, 5).*

*The more we are going to be Canadian, the more success we are going to have here and the more success we are going to have abroad, because that is the solution the Americans have found. — Pierre DesRoches, Director General, Telefilm Canada (Issue 20:9).*

*If we build on that strength (of a wide range of products), and on the community strength, the strength of local programming, and the strength of Canadian programming, we will be able to compete. — Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:70).*



The new satellite technology can be used to Canadian advantage; in fact, this witness stressed the importance of ensuring that Canadian programming be accessible on foreign satellites:

*We need quickly to make more Canadian material available.*

*This is not going to stop satellites from increasingly bringing not only American content but also products from all over the world into our homes. The important thing is to protect Canadian content accessibility. — Joan Pennefather, Chairperson, National Film Board (Issue 10:16).*

The principal representatives of the Canadian program production industry outlined in very clear terms the financing problems they face:

*We are at a point where our existence as independent producers has been totally dependent on crutches, if useful ones, from people like Telefilm and so on, not one that is capital intensive and investment oriented. — Charles Falzon, Chairman, Canadian Film and Television Production Association (Issue 9:28).*

*The Canadian market will never sustain a strong production industry on its own. However, right now Canadian producers go into the international market with the Canadian market representing a minuscule level of dollars, 20 percent of a production budget, whereas our French or Italian or certainly American competitors in the global market go in with more than half. We are not competitive. We cannot meet the difference by capitalizing or deficit financing because we don't have huge corporations like Warner Brothers and MCA and others in the United States that are able to deficit finance. — (Ibid., Issue 9:34).*

In a constructive and responsible manner, they also set out specific proposals to deal with the production financing issue:

*We believe our proposal for a tax credit, which was made in 1988 to the government as an alternative to the capital cost allowance, would be better, because the weakness of the capital cost allowance was that it benefitted the passive third-party investors... We got the money to make the product with and our members earned the fee for making the program, but it didn't capitalize production companies. — Peter Mortimer, Director, Policy and Planning, Canadian Film and Television Production Association (Issue 9:35).*

*We have proposed a tax credit that would enable the production company to get an offset of its tax liability or, if it didn't have one, then a cheque from the government in direct proportion to its eligible Canadian expenditures on production. — (Ibid., Issue 9:36).*



Witness after witness expressed concern over the fact that Canadian films have only a three percent share of screen time in domestic movie theatres. The industry association summarized the issue this way:

*Canadian films have had extreme difficulty occupying more than 3 percent of the theatrical screen time available nationally in Canada because of the massive domination of our market (two national theatre chains, one completely US owned, one 30 percent US owned) by the US "majors". These producer-distributor conglomerates dominate the Canadian and many other nations' markets with their products. The main difference, apart from our geographic adjacency [sic], between the situation in Canada and comparisons elsewhere is that in almost every other market the domestic agencies have had, and continue to have, some protection in law against the relentless pressures to dominate by the US industry...*

*For over 40 years Canadians have been subjected to and seduced by images, values and ideas from another culture which, although similar superficially, is fundamentally different. — Canadian Film and Television Production Association, Brief (Issue 9A:3).*

The producers went on to indicate that a strong government stance would be required for Canadian producers and distributors to capture a significantly larger share of our own domestic film market:

*A stronger indigenous industry would have to benefit from a solid government conviction that the social and spiritual importance of having and celebrating our own cinematic and television mythology far outweighed the diplomatic (and not so diplomatic) roughhousing which we would suffer continually at the hands of the US. It would seem to be a matter beyond question in a country which is currently wrestling with its very raison d'être. — (Ibid., Issue 9A:8)*

### Sound Recording

Earlier in this chapter, we addressed the issue of copyright — perhaps the most significant issue facing the sound recording industry; but the industry has other concerns as well:

*There are numerous government programs in film and publishing, hundreds of millions of dollars. The recording industry has basically one government program, which is about \$5 million a year. — Brian Robertson, President, Canadian Recording Industry Association (Issue 4:25).*

*We are...very concerned about the continuing lack of perception in Ottawa and across the country concerning the interrelated roles of creators and distributors... — Brian Chater, Executive Director, Canadian Independent Record Production Association (Issue 17:6).*

*Talent is not the problem... The problem is how to integrate it, get it recorded, get it released, get it marketed, and get it sold... It is an industrial marketing structural problem... — (Ibid., Issue 17:23).*



*... the R and D fee keeps going up. In other words, it becomes harder and harder to find if you have an artist, whereas in the old days you could literally make a single and if it worked, make another one and then make an album. Now if you haven't got an album plus two or three videos, you're not serious. That's the reality. And all of a sudden your "find out" fee has gone, in 20 years, from \$5,000 to \$250,000. — (Ibid., Issue 17:24).*

### **Book and Periodical Publishing**

Earlier in this report we have spoken of the importance of our authors, and of the written word. However, recognition of their importance is not enough; the words of our literary artists, whether in books, magazines or newspapers, can only reach the Canadian public by means of a complex process of publishing and distribution. The relatively small size of our domestic market, the breakdown of this market into two official languages, the problems related to foreign ownership and adverse competition, and the difficulty in maintaining and accessing domestic distribution systems — are all issues which simply must receive continuing government policy attention. As well, there are the effects of government taxes, fiscal restraint, copyright and postal subsidy policies, which bear directly and heavily on the Canadian publishing sector. The many comments from witnesses are clear:

*We have tremendous problems in the publishing industry with distribution systems... — Susan Crean, Chair, Writers' Union of Canada (Issue 13:28).*

*The exemption of books from the former federal manufacturing sales tax has been replaced with the first ever consumer sales tax on books, the GST, representing a major withdrawal of federal support from our industry...*

*the government has pulled out about \$50 million in support from our industry. — Roy MacSkimming, Director, Association of Canadian Publishers (Issue 11:6).*

*... budgets of existing programs (are) not being indexed for inflation. — (Ibid., Issue 11:8).*

*... initiatives of the Government of Canada to... meet the challenge of implementing national education standards without impinging upon provincial means to the meeting of those standards would, at the very least, capitalize and stabilize both a vitally important cultural industry and its marketplace. — Canadian Book Publishers' Council, Brief, p. 7.*

*In today's recessionary climate, the number of previously profitable magazines pushed into a loss position has risen dramatically...*

*the GST has had a devastating impact on our industry and our ability to fulfil our role as communicators of Canada's national lore. Profits are down, circulation is down, and magazine advertising has plunged by an estimated 30 percent in a two-year period. In the first four months of 1991, more than 50 magazines — 50 magazines — simply stopped publishing...*



*We have been asked to consider ways in which government programs or initiatives could be modified or restructured to enhance our contribution to Canadian unity. The answer is simple and consists of only three parts, but they are large ones. One, remove the GST from magazines and books; two, ensure that we can mail to our subscribers throughout the country affordably and swiftly; and three, keep culture off the table at the North American free trade negotiations. — Jeff Shearer, Chairman of Political Affairs, Canadian Magazine Publishers Association (Issue 24:39, 40).*

*The intention of the government to develop a replacement program for the existing postal subsidy program is obviously an extraordinarily important development for us... We need that replacement program. — (Ibid., Issue 24:42).*

*The legislation we're most concerned about in regard to our industry is Bill C-58 and the tariff item, the two pieces of protectionist legislation that encourage Canadian advertisers to advertise in Canadian publications. — Lynn Cunningham, President, Canadian Magazine Publishers Association (Issue 24:44).*

*... the one thing I think we would plead for would be a level playing field with our electronic brethren. I am not talking so much about television and radio as I am about the Bells of this world, the Unitels and those other people. — Clark Davey, Publisher, The Ottawa Citizen (Issue 30:44).*

*... there is a need for a national strategy to stabilize the industry and remove it from its chronic state of difficulty... — Roy MacSkimming, Director, Association of Canadian Publishers (Issue 11:7).*

The comprehensive brief of the Association of Canadian Publishers proposed guiding principles for a federal publishing strategy: use industrial means in order to achieve cultural ends; seek to level the playing field; expand readers' access to Canadian books; and support publishers' efforts to market internationally. (Association of Canadian Publishers, Brief (Issue 11A:4))

These publishers also proposed (Issue 11A:5, 6) a number of fiscal and structural measures including: an investment tax credit or equivalent direct-funding program to support research and development costs; better financing, and more appropriate and flexible criteria, for the Cultural Industries Development Fund; the removal of the GST from reading materials; strengthening of the Canadian-owned book distribution system; canadianization of educational publishing; and a "workable and enforceable foreign investment policy".

Without more intensive examination, our Committee is not in a position to judge the merits of the package of recommendations put forward by the publishing industry representatives. However, the problems facing this industry are clear, as is the need for concerted government action to address them in terms of a comprehensive policy.



In this respect, the Committee noted the January 28th, 1992 announcement by the Minister of Communications for provision of an additional \$102 million of industrial development assistance for the Canadian book publishing industry over the next five years. In addition, the Minister announced that the government will undertake revisions to the *Copyright Act* with respect to distribution rights, as well as amendments to the *Investment Canada Act* to strengthen Canadian control of the industry.

The Committee believes that these measures will help address many, but not all, of the concerns raised by the publishing sector. However, the need for comprehensive policy planning and development to better serve all of Canada's cultural industries has never been more serious:

**RECOMMENDATION No. 10** — The Committee recommends that, in recognition of the priority for standards of excellence in programming and production, and the need for innovative marketing of Canadian cultural products and services, the Government of Canada introduce an industrial strategy to attract investment in Canada's cultural industries, and to include such considerations as an investment tax credit like that proposed by the Canadian Film and Television Production Association.

**RECOMMENDATION No. 11** — The Committee recommends that the Government of Canada introduce legislation to improve distribution and access for Canadian films to the Canadian domestic market.

**RECOMMENDATION No. 12** — The Committee acknowledges the recent initiatives announced by the Minister of Communications in support of the book publishing industry; we further recommend that these measures be included in the formulation of a comprehensive strategy to strengthen publishing industries, including a review of the burdens of postage and the Goods and Services Tax to reading materials of a training and educational nature.

### 3K. HISTORY AND HERITAGE

*It has been said that you only preserve something you love and you only love something you understand.* — Mary Elizabeth Bayer, Chair, Heritage Canada (Issue 21:39).

*... heritage is... the glue that can keep this country together.* — (Ibid., Issue 21:32).

*We think it is essential that people develop an individual, local, regional, provincial, national and even international identity in order for there to be mutual respect. It's on the basis of such respect that unity is possible.* — Jacques Dalibard, Executive Director, Heritage Canada (Issue 21:53).



It is clear from our briefs and hearings that, as custodians of Canadian heritage, the Government of Canada does not yet have an integrated, coordinated approach to its role in heritage preservation, restoration and promotion. Most heritage representatives requested that Government take immediate action on development of the comprehensive heritage strategy that was a commitment from the 1990 Edmonton Heritage Conference:

*... while we have been promised a follow-up on that review, there has been no visible progress in the past seven or eight months. — Mary Elizabeth Bayer, Chair, Heritage Canada (Issue 21:35).*

*We feel there is a lack of cohesion, a lack of understanding of which department is doing what and for whom, and who's responsible to whom and for what. — (Ibid., Issue 21:40).*

*There is an overall need for the Government of Canada to develop a cultural and heritage policy framework. — Canadian Museums Association, Brief, p. 4.*

The federal government's approach to heritage seems completely the reverse of that followed in other areas of culture. Rather than supporting non-governmental sources of heritage activities, the major government heritage focus is on preservation and presentation of the heritage resources it *owns and controls* — national parks and canals, national historic sites, and the collections owned and maintained by the national museums, the National Archives and the National Library. Almost 97 percent of federal expenditure on heritage falls into this category, whereas in the arts sector, over 70 percent of federal expenditure is in the form of grants and contributions to individuals and non-governmental organizations. Another significant difference between federal support for heritage and federal support for the performing arts, is that *the federal government provides direct operating support* to arts organizations on an annual basis, whereas the limited funding available to heritage activities is *in the form of project grants only*.

Within the broad, strategic cultural policy framework which we have proposed, we believe that the Government of Canada should develop and release *a discussion paper on federal heritage policy* which would serve as a major initiative towards a combined federal-provincial heritage strategy across the nation. The historical differences in approach to the heritage sector should be addressed in this policy paper, along with all other relevant issues pertaining to Canada's proud history and heritage.

Heritage Canada has long recognized the need for increased public awareness in this area and has been promoting a national Heritage Day in February for some years:

*We have been working with the teachers and have tried to provide them with material that they can use in the classroom... we see it more as a day of reflection than as a day of celebration. I think this is what Heritage Day is, a day of reflection on our heritage and our roots. — Jacques Dalibard, Executive Director, Heritage Canada (Issue 21:45).*



## Museums and Galleries

*Museums are non-profit institutions operated in the public interest. Their roots are at the heart and soul of our society. Virtually all have been developed as a labour of love by dedicated, caring and compassionate individuals. Citizens taking pride in their communities have donated collections, volunteered their time, given money and encouraged others to do the same. — Canadian Museums Association, Brief, p. 1.*

Museums are the one area of heritage where the federal government has indeed articulated a comprehensive policy, one which includes the management of national institutions, a funding program for non-federal museums and the provision of museum services at a national level. These policy provisions are all in the context of an identification of the broad issues facing museums in Canada. As a result, the matters raised before the Committee by the Canadian Museums Association related primarily to retention of the funding and services currently provided, and to improvements in the administration of the granting program, rather than to new programs or additional funding. Briefs from other museum interests were in the same vein:

*It is important that the initiatives and resources outlined in the (1990 Museum Policy for Canada) be continued as envisaged by the Minister. — Ontario Museum Association, Brief, p. 3.*

*Any further devolution would be a negative factor... Federal support elevates heritage and history to a national issue. It encourages and indeed ensures Canadians that they have the potential of seeing examples of French Canadian folk art in a museum in Alberta or North West Coast Indian basketry on display beside MicMac basketry in Nova Scotia. It provides the possibility that as Canadians travel across their province and across the country, they can gradually be exposed to the entire gambit of Canada's rich and varied history. Devolution supports parochialism and isolationism. — Surrey Museum, Brief, p. 1.*

## National Historic Sites

Heritage representatives were concerned that the mandate of the Historic Sites and Monuments Board does not include powers to *protect* the national historic sites which it commemorates:

*[The Board's mandate should] be examined so that there can be a strengthening of their powers to actually protect rather than simply designate and plaque historic sites and monuments. — Mary Elizabeth Bayer, Chair, Heritage Canada (Issue 21:49).*

Our Committee does not believe that this suggestion is constitutionally feasible, since it would imply federal control over non-federal property. Instead, we feel that an expansion of the Department of the Environment's cost-shared program would be a more appropriate way to encourage protection of designated sites.



## Heritage Property

*... architecture is at the heart of our everyday life as citizens, it is the indispensable frame within which we act. Everyone is born in a building, everyone lives in a building, and everyone dies in a building. And yet, there is no real understanding in Canada of the role of architecture. I do not refer to architecture as a commercial product, but to architectural culture and to architecture as an integral part of culture. An understanding of the art of architecture is, in its largest sense, an understanding of civilization; it implies a broad command of humanistic knowledge. — Canadian Centre for Architecture, Brief, p. 2.*

*The buildings of Canada and the cities they form are an integral part of our culture and our view of ourselves as well as an expression of who we are. — (Ibid., p. 13).*

Three principal issues related to the preservation of buildings of historic and architectural value were raised by witnesses appearing before the Committee: (i) the need for more equitable tax treatment of heritage properties; (ii) the need for revisions to the National Building Code related to renovations; and (iii) the need for a strengthened Federal Heritage Buildings Policy, pertaining to government-owned properties.

About the existing tax treatment of heritage properties, we heard some sobering testimony:

*There is a lot to be done in that field. European countries and the United States have been much more progressive than we have...*

*We are in fact actually regressive if anything. Within the (existing tax) legislation there is encouragement for demolition, while what we should in fact really have is incentive to renovate buildings... — Jacques Dalibard, Executive Director, Heritage Canada Foundation (Issue 21:41).*

This witness also pointed out that “(buildings) renovation is much more labour intensive than new construction” (Ibid., Issue 21:46) and that the 1982 tax changes in the United States have had a significant economic impact, including high levels of job creation.

It was interesting for our Committee to learn that the National Research Council is responsible for the development of the *National Building Code*. The NBC is used by provincial governments as a model for their respective building codes. Witnesses pointed out the implications of this for renovations to older buildings, and the need for revisions:

*Any major renovation work usually must bring the building into line with applicable municipal or provincial building code standards which are in turn usually modelled on the NBC (National Building Code). The NBC treats renovations in the same category as new construction, and the two must meet the same specifications. — Marc Denhez, Brief, p. 5.*



*We feel there are important amendments necessary in the National Building Code, including seismic protection... — Mary Elizabeth Bayer, Chair, Heritage Canada (Issue 21:34).*

It was also pointed out by Marc Denhez that heritage buildings owned by crown corporations do not come under the authority of the Federal Heritage Buildings Policy. (Ibid. p. 4) As well, their crown-owned status keeps them from being subject to provincial heritage legislation. In addition, the federal policy applies only to buildings and not to other engineering works such as bridges. Obviously, there is a pressing need to make this policy for federal properties much more comprehensive.

### Archives and Libraries

*It is not enough to have roots. People must know what their roots are...*

*Self-knowledge is not like a sink. You cannot keep on turning the tap on and off. It is a state of mind. Take for instance the United States and France, countries that have a strong national identity. This national identity is constantly being nurtured. Through the erection of monuments, the collecting of archives, and through teaching in schools, etc., a highly developed sense of patriotism and attachment to the nation is developed in these countries, even when deep splits exist. — Jean-Pierre Wallot, National Archivist, National Archives of Canada (Issue 21:26, 27).*

*When we bring books, magazines, journals, newspapers, sound recordings, videos together in a library, we create the environment for the sharing of experiences, views, and aspirations essential to building a sense of shared identity. — Marianne Scott, National Librarian, National Library of Canada (Issue 6:4, 5).*

Unlike the federal support for performing arts and museums, there has generally been little in the way of federal funding to non-federal archives, and almost no federal funding to non-federal libraries. Given the current constitutional review, it is interesting to note that one important group of cultural institutions — our libraries — has survived and operated since Confederation, with virtually only provincial and municipal financial support.

The Committee encourages the Government to continue its efforts to provide adequate accommodation for the National Archives. It also supports the plans of the National Archives to make its archival holdings more accessible across the country:

*... the National Archives would like to act quickly to make the information contained in its records available Canada-wide by creating an automated archival holding system and establishing service centres in certain regions of the country... — Jean-Pierre Wallot, National Archivist, National Archives of Canada (Issue 21:6).*

Two specific aspects of our heritage are in urgent need of action to ensure their preservation — our performing arts heritage and our audio-visual heritage. As the result of rapid technological change and the instability of materials such as videotape, there is a particular crisis in the preservation of Canada's audio-visual heritage.



*Our audio-visual documentary memory is gravely threatened as a result of the proliferation of audio-visual material, and often without fixed standards, and with changing technologies on media that are very fragile... In 50 to 100 years from now, very few things will document what has happened in the past 20 or 30 years in Canada, including in the House of Commons, I must say, because the recordings there are on magnetic tape and this will self-destroy over a certain amount of time. — (Ibid., Issue 21:9).*

*Year by year, day by day, in spite of the work of the few and the best intentions of the many, Canadian-produced audio-visual material, motion picture films and videotape fall victim to neglect. They are produced, sometimes distributed, seldom exhibited and then shelved. By and large, little consideration is given to their preservation and use as cultural resources.*

*...our performing arts productions and live Canadian theatrical performances... are also being lost to not only future generations but our own as well. — Yvon Desrochers, Director General, National Arts Centre (Issue 3:31, 32).*

As these comments emphasize, music, opera, dance and theatre performances survive only in memory unless they are somehow documented, and unless that documentation is suitably preserved. In addition to film and video productions of these performances, significant scripts, costumes, props and programs should be collected, preserved and displayed.

In a similar vein, our Committee is concerned about the disintegration of library materials, a major dilemma facing libraries in Canada:

*The crisis within Canada's libraries is not that the books will burn; it is that they will crumble and decay. They are printed on paper that is quietly disintegrating, because it carries its own acid within it. — Karen Adams, Executive Director, Canadian Library Association (Issue 9:19).*

Committee members were pleased to note that since the completion of our hearings in December, the Government has announced a policy to print all historically significant government documents on stable alkaline paper to ensure their longevity. Further steps must now be taken to encourage the paper industry to convert its production to acid-free paper, and to establish national standards for its production.

With respect to information policy generally, both the Canadian Library Association and the National Librarian expressed their strong support for a deliberate and coordinated national approach:

*It is our observation that there are many policies and activities going on within Canada that are disharmonious. It is becoming increasingly difficult to deliver cultural products and Canadian information in a world where no one seems to be taking an overview to make sure that government policy and individual activity contribute to some one ultimate goal.*



*Because of that absence of harmony, we have been working with our sister francophone organization, ASTED, the National Library, CISTI, and the Information Technology Association of Canada as well as with Communications Canada staff to talk about the feasibility of having a national summit on information policy. — (Ibid., Issue 9:5, 6).*

*There is a critical need... for the federal government to take a lead in developing strategies and policies relating to Canada's information resources... we must put in place a strong, effective policy framework as well as an advanced technical infrastructure to support communications and information exchange. — Marianne Scott, National Librarian, National Library of Canada (Issue 6:7).*

Given the rapid changes in information technology, and the evolution of the role of the National Library with respect to domestic and international library communities, our Committee believes that this is an appropriate time to review the Library's policies and programs, and in fact to examine its legislative mandate in a current context.

One specific amendment to the legal deposit requirements of the *National Library Act* is urgently required in order to minimize the costs to the Library of acquiring new library materials. This amendment should proceed immediately, and should not be delayed for the broader legislative review we have proposed.

#### A National Heritage Council

Our Committee has been convinced of the need for greater coordination and balance in the design and delivery of federal heritage programs. We also subscribe to the value of *arm's length* cultural agencies and the principles of *peer review*. Most witnesses from the heritage sector spoke in favour of the establishment of a National Heritage Council (patterned on the Canada Council) to coordinate and administer federal heritage support. Such a council might incorporate existing heritage agencies and activities such as the Cultural Property Export Review Board, the Movable Cultural Property Grants Program, the Museum Assistance Program, the Canadian Heritage Information Network, the Canadian Conservation Institute and the Historic Sites and Monuments Board. While our Committee favours the thrust of the council concept, we wonder if it might not best be achieved through an existing organization, perhaps even the Canada Council itself.

**RECOMMENDATION No. 13 — The Committee recommends that the Government of Canada proceed immediately with development of a comprehensive federal heritage strategy, to include:**

- (i) an arrangement to administer federal support for heritage preservation activities through the Canada Council or a National Heritage Council;
- (ii) a program to preserve Canada's audio-visual and performing arts heritage;



- (iii) measures to promote the production and use of stable alkaline paper for heritage purposes in Canada; and
- (iv) measures to encourage the preservation and restoration of heritage properties.

**RECOMMENDATION No. 14** — The Committee recommends that the Government of Canada review the statutory mandate of the National Library with a view to strengthening its role in fulfilling national information objectives; further, that the legal deposit provisions of the *National Library Act* be amended immediately to minimize costs of acquiring new library materials.

### 3L. THE CANADIAN BROADCASTING CORPORATION (CBC)

Any discussion about communications in Canada must start with the CBC. As we have stated previously in this report, the CBC is seen by virtually all interests in the culture and communications sectors, and by a large segment of the general public, as being an essential national institution which helps bind Canada together, coast to coast to coast, and community to community. Despite the fact that it is a \$1 billion corporation in an operational context, it has long endured difficult and even unreasonable restrictions upon its financial management capabilities. For example, the CBC is prevented by its present mandate from incurring even a temporary deficit, and also prohibited from any borrowings or bank loans. The CBC is entirely dependent upon its annual budget appropriation from the Government, with no predictable expectations upon which it can rely from year to year.

On the basis of testimony from both CBC senior officials and from other witnesses, our Committee has concluded that the time has come for the Government of Canada to change the financing regime on which CBC operations are based. In addition to a request from the CRTC that the government “solidify the CBC’s funding base” (Canadian Radio-television and Telecommunications Commission, Brief, p. 26), the following comment was typical of those heard from witnesses:

*... (the government should provide) predictable and adequate multi-year funding for the CBC so that it can fulfil its mandate, maintain an almost completely Canadian schedule, and coincidentally licence large amounts of programming from independents.* — Canadian Film and Television Production Association, Brief (Issue 9A:8).

While there are some claims that multi-year funding commitments would run counter to Parliament’s budget authority, we believe there are precedents for this approach. For example, the recent Green Plan funding program serves as a model, originally designed for a five-year term, revolving and renewable annually.



**RECOMMENDATION No. 15** — The Committee recommends that the Government of Canada provide the Canadian Broadcasting Corporation with a stable and predictable five-year funding program revolving annually; further, that the CBC statutory mandate be amended to provide a limited borrowing authority for reasonable flexibility in financial management of its affairs.

### Radio Canada International

Our Committee is sympathetic to the view that recent budget reductions for Radio Canada International have seriously impaired Canada's capability to present its multi-faceted image to a world audience. The impact of this reduction in RCI service should be carefully reviewed and evaluated:

*Canada's voice to the world, Radio Canada International, has been affected by a crippling reduction in its operating budget. As a government, we have given the impression that we have saved the shortwave service, but I feel I must now raise the question, at what price?*

*While every other G7 country is increasing its funding of international broadcasting, why it is that Canada is cutting back on its international service? — Senator Finlay MacDonald, Letter to Committee, June 6, 1991.*

*For many people, RCI was the first contact they ever had with Canada and for some it is the only contact they have. Anyone who travels internationally will know that as Canadians we are immediately accepted and liked. Our sense of who we are is accentuated by being away from the country and seeing ourselves through the eyes of others. — Wojtek Gwiazda, Member, Coalition to Restore Full RCI Funding (Issue 29:6).*

Upon investigation with RCI senior management, we do feel that the extent of RCI operations, and hence budgets, should fall within the purview of the Department of External Affairs as is the case since 1991. This will provide the best context for considering RCI service in the light of Canada's international trade and diplomatic objectives. Programming and broadcasting should remain as CBC contract responsibilities.

*The Contribution Agreement with the Department of External Affairs commits RCI to provide 232 hours weekly of shortwave programming in the seven languages to geographic areas in Europe, Asia, Africa, the Caribbean, and South America... The policies of the Department of External Affairs form the basis for decisions on Radio Canada International target and language priorities, but programming and editorial policies are wholly the responsibility of the CBC. — Terry Hargreaves, Executive Director, Radio Canada International, Letter to Committee, February 25, 1992.*

**RECOMMENDATION No. 16** — The Committee recommends that, in recognition of international objectives in trade and culture, the Government of Canada review the mandate of Radio Canada International (RCI) with a view to clarifying and



strengthening its future role in projecting Canada's image and interests through international broadcasting; further, we recommend that funding for RCI remain the responsibility of the Department of External Affairs, with the Canadian Broadcasting Corporation providing programming, production and delivery.

### 3M. CONVERGING TECHNOLOGIES

The realities of converging technologies in Canadian broadcasting and telecommunications, and the implications of this convergence for the plans and aspirations of both sectors, are well summarized by this submission:

*Each [sector] wants a piece of the local and long-distance telephone business and they both see themselves delivering audio and video information and "entertainment" via integrated switchable digital network services (ISDNS) and fibre optic cables. These systems, in combination with personal computer-based home entertainment centres and an underlying pay-per-use philosophy permeating society, will lead to the elimination of record and video stores as we know them today. Similarly, 'narrowcasting', or the provision of more specialized programming services for audience 'clusters' or minority interests, will rapidly move into the marketplace, following fast upon the 1991 advent of SkyPix. — Canadian Film and Television Production Association, Brief (Issue 9A:10).*

*Technology is taking what we used to call 'broadcasting' and completely redefining it. Nowadays, satellites...are able to carry far, far greater numbers of signals per transponder than was ever imagined previously. This is thanks to two developments: the introduction of digital, as opposed to the less precise but widespread analogue signal encoded and transmission focus; and 'compression' — an engineering 'squeezing' technique which presently can put eight signals where only one was previously. — (Ibid., Issue 9A:5).*

In the context of satellite technology, the future role of Telesat Canada was also of some concern:

*There isn't much our company can do to provide a competing system in Canada, because we don't produce the programs and don't hold the broadcast licence. (...) We can carry a 200-channel universe and deliver it to the cable head-ends today. — Eldon D. Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:41).*

Some concerns were also expressed by others about the lack of competition and the rates charged by Telesat:

*[Owning our own satellite] opens the opportunity to us to use signal compression, digitization, to maximize the capacity of the satellite. It also creates a known universe. One of the problems we have with Telesat is that we*



*don't know what the rates will be over the next 10 years... of CANCOM's operating costs, 60 percent are our payments to Telesat... — Sheelagh D. Whittaker, President and Chief Executive Officer, Canadian Satellite Communications Inc. (Issue 8:28).*

All witnesses agreed that the broadcasting and telecommunications sectors can no longer be addressed in isolation:

*Although telecommunications and broadcasting are separate industries providing very different types of services, and indeed are regulated on the basis of different and distinct precepts, they are components of a single communications system. — Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:4).*

*... there is a sense within these (constitutional) proposals that broadcasting is different from telecommunications. We've already pointed out to the Minister that in our view that would be a retrograde step. The division between broadcasting and telecommunications services will be even more difficult in the next 10 years, and we would be putting ourselves into a regulatory straight-jacket in terms of dealing with jurisdictions like the United States, where everything comes under one regulatory roof. — Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:69).*

### 3N. TELECOMMUNICATIONS

Our Committee recognizes the important role that telecommunications systems play in helping Canadians share the idea — and the ideal — of a common Canadian reality. Telecommunications are key links which Canadians have to one another, and to the worldwide information revolution. Whether it is through data, voice or video distribution systems; over wire lines, fibre optic, microwave, satellite or radio facilities; telecommunications provide the means by which essential forms of expression — social, cultural, educational and entrepreneurial — are transmitted.

*In the 19th and early 20th centuries, ribbons of steel bound our nation together and moved people and goods. Now it is the microwave towers, satellites, and fibre optic cables that will keep the nation together.*

*Today, and even more so tomorrow, the movement of information and the ability... to communicate with each other will dominate this nation's economy and agenda. — Richard Stursberg, Senior Vice-President, Unitel Communications Inc. (Issue 28:25).*

*Given the sparse population of our country and our vast distances, our very difficult terrain and sometimes hostile climate, the Canadian telecommunications system has become vital to both the economic and social affairs of our country and citizens. — Eldon D. Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:30).*



Canada's telecommunications industry contributes to the fabric of this country on a daily basis by keeping Canadians in touch with each other. The technological advances of the last decade are making our telecommunications system an increasingly vital instrument of nation-building.

In social terms, the fact that 98 percent of Canadian homes have a telephone demonstrates the importance of telecommunications in letting us know what we share in common, and what unites us in our diversity. In economic terms, new technologies and new services are making the role of telecommunications a key business tool for large and small enterprises alike. This provides a boost to regional economic development, and to economic equality among Canadians, by making it possible to locate and establish knowledge-intensive industries of the future outside the main business centres of the country.

The impact of the telecommunications sector on the Canadian economy bears repeating. The carriage and manufacturing industries together generate more than \$21 billion in revenues (\$15 billion for the carriage sector and \$6 billion for the manufacturing sector) and employ 125,000 people. In 1990, the carriage industry alone accounted for 2.7 percent of the Gross Domestic Product. Its real growth rate (after inflation) of 8.6 percent in 1990 compares with the 0.3 percent growth rate of the total Canadian economy. Also, its 1990 research expenditures of \$1.4 billion represented about 24 percent of Canada's total effort in this respect for the year. (Source: Department of Communications, Fact Sheet accompanying the recently tabled *Telecommunications Act* (Bill C-62))

Witnesses outlined for the Committee how the rapidly changing technology is leading to a closer integration between telecommunications and cultural industries:

*In the cultural industries, telecommunications is the backbone of much of our entertainment, cultural expression, and information exchange. Telecommunications facilities are used to carry television signals to distribution points; newspapers and magazines electronically transmit copy or entire editions via telecommunications satellites; fax machines are part of the backbone of design firms; integrated data bases are vital tools for libraries, museums and other similar institutions. — AGT Limited, Brief, p. 3.*

As a highly-regulated sector, the strength of our telecommunications system relies to a great degree on the policy, legislative and regulatory environment in which it operates. Witnesses spoke of the need for an integrated, dynamic and efficient approach to federal policy development and regulation:

*We need a policy and regulatory environment conducive to innovation and investment. Today's regulatory proceedings are expensive, labour-intensive and ponderous. — J.H. Farrell, President, Telecom Canada (Issue 24:10).*

*... I think the thrust of telecommunications regulation needs to be examined... most of the attention of the regulatory process today is focused not on building a more effective telecommunications system in Canada, not on encouraging*



research and innovation directed to a better system and healthier Canadian manufacturing, not on benefit to consumers, and not on ensuring access by all Canadians to all other Canadians in the best possible manner. Competition has been superimposed on monopoly operations under regulation so that the current regulatory process devotes most of its time to allocating the telecommunications market between the various players and would-be players and in the process discourages innovation and effectiveness and slows change. — Eldon D. Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:32).

...current policy tends to deal with components of, say, the broadcasting industry as components rather than as a system. So you get policies for cable... You get another set of policies that pertains to those broadcasters who broadcast over the air, yet another area for the use of satellites in distributing television programming. Within all of this structure you get the jockeying for position for the various components of the industry, and the attention is on carving it up rather than on what it should do as an industry. — (Ibid., Issue 10:37, 38).

As far as telecommunications is concerned... amend The Railway Act to specifically give the Commission a discretionary power of forbearance. This change would enable the Commission to relieve carriers from burdensome, cost-bearing regulatory requirements, such as the filing of tariffs, in circumstances where they have been rendered unnecessary, for example, by reason of market forces, such as competition. — Canadian Radio-television and Telecommunications Commission, Brief, p. 26.

Unitel is not proposing the deregulation of the telecommunications system. This is a fundamental point. What we are proposing is the introduction of competition ...

Unitel's proposal is that as of the first day on which we start to compete against the telephone companies, alternative long-distance services will be available to all Canadians, regardless of where they live in the country. — Richard Stursberg, Senior Vice-President, Unitel Communications Inc. (Issue 28:25).

We have said that anybody who wants to compete should be allowed to compete as long as they meet the two big conditions: one, that they are prepared to make the appropriate contribution to maintaining local rates; two, that they are prepared to extend service throughout the country ubiquitously on a route-averaged basis. — (Ibid., Issue 28:32).

From our viewpoint there are two fundamental policy developments required before telecommunications can truly fulfil its potential to contribute to the operations of all the types of enterprises that we represent in every region of the country.



*First, we believe there must be the greatest possible degree of consistency of regulatory rules across the country. Second, we must see the development of as much competition in the delivery of telecommunications equipment and services as possible. — Mairi MacDonald, General Counsel, Canadian Business Telecommunications Alliance (Issue 23:8).*

*We think that once the market itself is regulating the behaviour of the monopolists, is performing the economic regulation role that the CRTC currently performs with respect to the behaviour of the monopoly telephone companies, it will not be necessary for the CRTC to regulate in quite the specific way it has done. — (Ibid., Issue 23:21).*

Our Committee believes that a new and current federal telecommunications policy and regulatory system are essential to the availability of new technologies and services, as well as to their diffusion across the country. As our witnesses have stated, the better developed Canada's telecommunications infrastructure is, the better able we are to harness social, cultural, educational and industrial forces into an efficient system of communication among all Canadians. We acknowledge the introduction of Bill C-62, the *Telecommunications Act*, and anticipate consideration and debate on it both within our Committee and in Parliament.

However, legislation is only one element in the development of a comprehensive Canadian telecommunications strategy. As we have recommended and described earlier in this report, the federal government must work in partnership with provincial governments and the private sector to address all of the issues raised by our witnesses including research and development, convergence, concentration of ownership and international competitiveness. The ultimate purpose of strategic policy development must be to enhance the role of telecommunications as a key instrument for economic growth, regional development and the building of our Canadian nation, and this must be a priority for the federal government.

### 30. THE TIES THAT BIND

Throughout our report, we have quoted widely from our witnesses. In carefully choosing their quotations, and in the accompanying text and recommendations, we have tried to convey the message and the theme expressed in the title of our report. Culture and communications are fundamental instruments for achieving renewal of our sense of pride and unity as a nation. We sincerely believe that, both in resolving the constitutional crisis which now confronts us and in fulfilling the distinctive constitutional promise which lies before us, *culture and communications will truly prove to be the ties that bind!*









HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
OTTAWA CANADA  
K1A 0A6

## APPENDIX A

STANDING COMMITTEE ON  
COMMUNICATIONS AND CULTURE

COMITÉ PERMANENT DES  
COMMUNICATIONS ET DE LA CULTURE

Dear Sir/Madam:

### The Implications of Communications and Culture for Canadian Unity

This Committee is proceeding with an examination of Canada's communications and cultural sectors, specifically with regard to the implications of their activities for Canadian unity.

To accomplish this task, it is extremely important that we receive the views of all interested organizations, agencies and individuals. Thus, our Committee would appreciate greatly if you would provide us with your response to the basic questions which are raised in the enclosed terms of reference.

Would you please endeavour to let us have your submission in writing prior to November 15, 1991. Copies will be distributed upon receipt to all members of the Committee so that your views will be thoroughly considered in the preparation of our report.

Thank you in advance for your interest and assistance in helping us to generate dialogue on these crucial aspects of communications and culture as they relate to a shared Canadian identity and a common pride in Canadian citizenship.

Yours very truly,

Bud Bird, M.P.  
Chairman  
Standing Committee on Communications  
and Culture  
(613) 995-9287

JWB/dlb  
Enclosure

P.S. Submissions should be addressed to the Clerk, Standing Committee on Communications and Culture, 6th Floor, 180 Wellington Street, House of Commons, Ottawa, Ontario, K1A 0A6, Fax: (613) 996-1962.





HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
OTTAWA CANADA  
K1A 0A6

STANDING COMMITTEE ON  
COMMUNICATIONS AND CULTURE

COMITÉ PERMANENT DES  
COMMUNICATIONS ET DE LA CULTURE

## "THE IMPLICATIONS OF COMMUNICATIONS AND CULTURE FOR CANADIAN UNITY"

### Terms of Reference

The Committee has identified the following sub-themes to help it carry out the study:

1. "The Social Dimensions of Communications"
2. "The Common Denominators of Heritage"
3. "The Arts and the Canadian Identity"

For each sub-theme, the Committee will address related factors which contribute to the development of a shared Canadian identity, or those which conversely may obstruct or distort a common vision of our country. The Committee's observations and recommendations will be intended to identify the fundamental influences at work, and to propose means of dealing with them to enhance a state of pride in and commitment to Canadian citizenship.

A number of individual sectors and agencies will be examined in order to develop each sub-theme. Examples are provided in this outline.

### Basic questions

Given the short time available to the Committee to complete this study, the scope of our work will be tightly focused and limited to the considerations of a shared Canadian identity and a common pride in Canadian citizenship. We shall seek answers to four basic questions in these respects:

1. How do your activities presently contribute to the development of a shared Canadian identity and a state of pride in Canadian citizenship?
2. In what manner could your activities be changed and improved by you to increase that contribution?



3. **In what manner could government programs, activities, policies and initiatives be modified or restructured to enhance your contribution?**
4. **What would be the impact of current federal government constitutional proposals on your contribution in these respects?**

The answers to these basic questions would provide the Committee with sufficient information to enable it to report on the views of the communications and cultural sectors and advance recommendations to enhance the realization of a shared Canadian identity and state of pride in Canadian citizenship. The dialogue generated as a result of the public nature of Committee hearings would also create a source of information, one which will be readily available to support the broader deliberations involved in the government's constitutional program through the Special Joint Committee on a Renewed Canada.

### Schedule and Reports

The Committee will endeavour to conduct this study generally within a parallel timetable to the schedule of the Special Joint Committee on a Renewed Canada (i.e. September 1991 - February 1992). We would plan to publish our report and recommendations to Parliament in time to be considered by the Special Joint Committee.

### Sectors and Agencies

1. **"The Social Dimensions of Communications"**
  - a. The CBC in the 1990's
  - b. The role of private broadcasters, including reference to the Report of the Task Force on the Economic Status of Canadian Television
  - c. Telecommunications
  - d. Cable Television
  - e. Other cultural industries: publishing, including local newspapers, sound recording, film and copyright considerations
  - f. Programs of the Department of Communications



**2. "The Common Denominators of Heritage"**

- a. The influence of our cultural, social, industrial, archeological and natural heritage
- b. Programs of the Department of Communications

**3. "The Arts and the Canadian Identity"**

- a. The role of the performing arts
- b. The visual and applied arts
- c. The literary arts
- d. Programs of the Department of Communications
- e. The International Cultural Relations Bureau of the Department of External Affairs



HOUSE OF COMMONS

Standing Committee on Communications and Culture

**APPENDIX B**

- **Submission to the Special Joint Committee on a Renewed Canada (February 6, 1992)**
  - List of Recommendations
  - Text of Submission
  - Signature Page
  - Letter from Nicole Roy-Arcelin, M.P.

Jean-Pierre Hogue, M.P.  
Vice-Chair

Suzie Plamondon, M.P.  
Vice-Chair

February 6, 1992

Ottawa, Ontario

(revised February 18, 1992)



2. "The Common Denominator of Heritage"
  - a. The influence of our cultural, social, industrial, archaeological and natural heritage
  - b. Programs of the Department of Communications
3. "The Arts and the Canadian Identity"
  - a. The role of the artist
  - b. The visual and applied arts
  - c. The literary arts
  - d. Programs of the Department of Communications
4. Submission to the Special Joint Committee on a Reviewed
  - a. The International Cultural Relations Act (1993)

- Letter from Nicole Roy-Arcene, M.P.
- Signature Page
- Text of Submission
- List of Recommendations



# HOUSE OF COMMONS

## Standing Committee on Communications and Culture

THE TIES THAT BIND

3. PRINCIPLES -- The Committee recommends that the following be adopted among the principles on which the resolution of Canada's constitutional problems and the role of governments

### CULTURE AND COMMUNICATIONS:

### THE TIES THAT BIND

#### Submission to the Special Joint Committee on a Renewed Canada

among all levels of government but that there is a special federal responsibility to ensure the free expression of Canada's diverse cultural identity.

**Bud Bird, M.P.**  
Chair

**Jean-Pierre Hogue, M.P.**  
Vice-Chair

**Sheila Finestone, M.P.**  
Vice-Chair

February 6, 1992

Ottawa, Ontario

(revised February 18, 1992)



# HOUSE OF COMMONS

## Standing Committee on Communications and Culture

### CULTURE AND COMMUNICATIONS:

### THE TIES THAT BIND

Submission to the Special Joint Committee on a Renewed Canada

Bob Bird, M.P.  
Chair

Barbara Frum, M.P.  
Vice-Chair

Jean-Pierre Hogue, M.P.  
Vice-Chair

February 6, 1993

Ottawa, Ontario

(revised February 18, 1993)



## LIST OF RECOMMENDATIONS

## CULTURE AND COMMUNICATIONS:

## THE TIES THAT BIND

A. PRINCIPLES -- The Committee recommends that the following be adopted among the principles on which the resolution of Canada's constitutional proposals and the role of governments in culture and communications are to be based:

- (i) That the issues to be resolved are as fundamentally cultural in character as they are political.
- (ii) That culture is multi-jurisdictional among all levels of government but that there is a special federal responsibility to ensure the free expression of Canada's diverse cultural identity.
- (iii) That communications is primarily, although not solely, an area of federal responsibility with respect to policy and regulation.



(iv) That the goal of Canadian unity connotes a diverse cultural identity throughout Canada; and Canadian political unity must respect, reflect and promote the diversity of cultural identity.

(v) That constitutional provisions must include the commitment of cultural and communications resources to fulfill them.

(vi) That strong national cultural and communications institutions must be sustained and enhanced as vehicles to help achieve and promote Canada's nationhood.

(vii) That cultural partnerships, as well as political partnerships, among all levels of government and the private sector, are essential instruments to achieve the goal of Canadian unity.



- (viii) That the common denominators of Canada's history and heritage must be reflected in its constitutional principles.
- (ix) That Canada must give priority to the adoption of national cultural and communications policies to fulfill the promise of the constitution.
- (x) That Canada is a national tapestry woven from its linguistic duality and cultural diversity.
- (xi) That a particular feature of Canadian society is its distinct French-language culture which emanates primarily from Québec and exists throughout Canada.
- (xii) That other particular features of Canadian society are its distinct aboriginal peoples and its multicultural origins.



(xiii) That in order to ensure freedom and maintain flexibility, cultural agreements should not be "constitutionalized".

(xiv) That a Canada Cultural Accord should reflect a national cultural vision and coincide with the individual cultural identity expressed by each province and territory.

(xv) That the private sector is an essential partner with government in cultural development, and that partnership should be recognized and encouraged by government fiscal policies.

B. DEFINITION -- The Committee recommends that, for purposes of constitutional considerations, the definition of cultural activities should include the performing, visual and literary arts, film and video, sound recording, publishing, movable and immovable heritage, including galleries, museums, historic sites, archives and libraries.

C. PROPOSAL 1 -- PROPERTY RIGHTS -- The Committee did not reach a consensus about the entrenchment of property rights.



However, we recommend caution about the implications of such action for intellectual property, such as copyright, and for immovable cultural property, such as heritage buildings.

- D. PROPOSAL 2 -- QUÉBEC'S DISTINCT SOCIETY -- The Committee endorses and supports the recognition of Québec in the Charter as a distinct society within Canada, based on its French-speaking majority, its unique culture and its civil law tradition; we further recommend recognition of its English-speaking minority and other diverse cultural identities, as integral elements of Québec's distinct society.
- E. PROPOSALS -- ABORIGINAL SELF-GOVERNMENT -- While the Committee has not considered aboriginal self-government generally, we recommend that any definition of self-government provide for the recognition, protection, interpretation and celebration of native heritage and cultural values as distinctive elements in Canada's national identity.
- F. PROPOSAL 7 -- THE CANADA CLAUSE -- The Committee endorses and supports the principles and values contained in the proposed Canada Clause; we further recommend the addition of two statements:



(i) A commitment to foster the diverse cultures and heritages found in Canadian society, and their development into a shared Canadian culture that preserves, promotes and enhances all of the distinctive identities of its parts.

(ii) A commitment to comprehensive communications systems accessible throughout Canada, both private and public, both broadcasting and telecommunications, to enable Canadians to know, appreciate and respect their country and themselves.

G. PROPOSAL 9 -- SENATE REFORM -- DOUBLE MAJORITY VOTING RULE --

The Committee has not considered Senate reform generally; however, we specifically recommend that matters of culture be clearly defined with respect to the application of the proposed Senate double majority voting rule.

H. PROPOSAL 11 -- SENATE REFORM -- RATIFICATION OF APPOINTMENTS

-- The Committee has not considered Senate reform generally; however, we do endorse and support the concept of Senate ratification of the heads of national cultural and communications agencies and boards. In this latter respect, we recommend that all such intended agencies, boards,



institutions and commissions be specifically identified for the application of this provision, as well as the meaning of "heads" of such entities in each case. We further recommend that the proposed Senate double majority voting rule be applicable in this ratification process.

- I. PROPOSAL 14 -- THE COMMON MARKET CLAUSE -- The Committee has not considered the common market clause generally; however, we support the proposal as it relates to the cultural and communications industries and we further recommend that this proposal be clarified specifically with respect to the recognition of Québec's distinct society in relation to cultural affairs, and also in relation to other provincial cultural development initiatives.
- J. PROPOSAL 18 -- TRAINING -- The Committee recommends that the federal government retain leadership in a cooperative approach with the provinces to labour market training in cultural affairs.
- K. PROPOSAL 19 -- IMMIGRATION -- The Committee has not considered the immigration proposal generally; however, we do recommend that explicit national policy objectives for integration of cultural communities be included in any federal/provincial immigration agreement.



L. PROPOSAL 20 -- CULTURE -- The Committee recommends that national cultural policy be expressed through a Canada Cultural Accord based on a shared national vision and reflecting a composite of all federal/provincial agreements for cultural affairs, and that such an Accord be subject to continuing review and revision, and not be entrenched in the Constitution.

M. PROPOSAL 21 -- BROADCASTING -- The Committee recommends the continuation of a single, federal authority over broadcasting and telecommunications; we further endorse and support the government's broadcasting proposals for provincial and regional consultations in the national application of a comprehensive communications policy, on the basis that the traditional open public hearing process is maintained whenever new services are involved.

N. PROPOSAL 22 -- THE RESIDUAL POWER -- The Committee has not considered the residual power provisions generally; however, the Committee supports the government's proposal to retain authority for national matters assigned to the federal government by virtue of court decisions, especially in matters dealing with broadcasting and telecommunications, without



excluding future technologies or services from federal authority.

- O. PROPOSAL 24 -- AREAS OF PROVINCIAL JURISDICTION -- The Committee recommends that the areas of tourism and recreation be included as considerations in a Canada Cultural Accord to reflect continuing federal/provincial agreements and objectives in these areas.
- P. PROPOSAL 27 -- THE FEDERAL SPENDING POWER -- The Committee has not considered the federal spending power provisions generally; however, we recommend that any changes in these respects not inhibit the capability of national cultural institutions and programs to continue transfer payments to individual artists and artistic organizations.
- Q. PROPOSAL 28 -- A COUNCIL OF THE FEDERATION -- The Committee has not considered the Council of the Federation generally; however, we do recommend the establishment of a formal Council of federal/provincial/territorial ministers of cultural affairs to guide and direct the development and implementation of a Canada Cultural Accord which will fully reflect the application of federal/provincial agreements and objectives in cultural affairs.







**CULTURE AND COMMUNICATIONS:****THE TIES THAT BIND****CULTURAL VALUES -- THE VALUES OF CULTURE**

Culture reflects a country's values, and its cultural activities are the means by which those values are nourished and expressed. When we refer to cultural values, or the values of culture throughout this report, therefore, we intend that these terms be used interchangeably. We wish to examine all aspects of culture, the implications of which contribute value to, and represent value in, the distinctive character of our nation. Culture is a way of being, thinking and feeling. As a driving force in a society, it unites individuals by language, custom, habit and experience. Culture is also a way of life, composed of many elements which influence our thoughts, our feelings and our creativity. All of the elements which make up our cultural values contribute to influence other cultural values with which they come in contact. Together these elements hold potential to flourish with and enrich each other. Thus, a country can be said to possess a national culture, but which is comprised of the myriad cultures from which it develops.



For our purposes, however, cultural activities are the creative elements of our existence - expressions of who we are, where we come from and where we wish to go. In pursuing them, we enhance and build on the foundations of our identity, both as individuals and as communities. As we strive to give expression through cultural activities, we do indeed create and strengthen our cultural foundation.

### **THE CONSTITUTIONAL CONTEXT**

*To a great extent, the current constitutional emergency is a struggle to define who Canadians are, and what we value. It could result in the failure of the country unless cultural imperatives -- not only in Québec, but in every part of Canada -- are given due recognition in the final constitutional settlement. At long last, there seems to be a realization that our cultural differences and distinctiveness, more than federal-provincial power-swapping, are at the root of our political reality. --*

Roy MacSkimming, Director, The Association of Canadian Publishers, (Signature, Newsletter of the Association of Canadian Publishers, Page 1).



The Fathers of Confederation were silent on the matters of culture and communications when they drafted the original Canadian Constitution prior to 1867. There was no reference to either culture (with the exception of copyright) or communications (with the exception of telegraphs) and yet, as we have come to realize through the course of our recent hearings, cultural values are at the soul of any society.

A contemporary reality too, are the instruments which help us to express and develop those values and to share collective cultural experience. They are the complex communications systems and networks which today have the capability of bringing this vast country together, literally, at the turn of a dial.

It is therefore significant that the current constitutional proposals set forth by the Government of Canada touch deeply on several areas involving culture and communications. Surely that demonstrates a recognition and acceptance of the premise advanced by several of our witnesses that this constitutional round is as much cultural as it is political. Surely that reality was reflected in the words of the Prime Minister when he tabled the current constitutional proposals in the House of Commons on September 24, 1991:



*Renewal is what Canadians everywhere seek for our country... renewal of our values, of our institutions, of our working arrangements... renewal of our commitment to Canada and to the well being of our fellow Canadians.*

-- (House of Commons Debates, Tuesday, September 24, 1991, p. 2585).

It is on the basis of these and like considerations that our Committee decided to examine the implications of culture and communications for national unity in Canada. Canadians who devote their careers and their lives to these sectors, -- artists, writers, producers, broadcasters, technicians, and the cultural volunteers in every corner of the country -- wanted to be heard on constitutional issues, and there was need for a vehicle by which their views could be broadly expressed with the special focus that they deserve. Our Committee has endeavoured to be that vehicle, and we take pride and satisfaction in this opportunity to join in the process of consultation about the renewal of the Constitution of our country.

Throughout our hearings, we have received persuasive testimony to support the principle that not only the federal government, but indeed all levels of government, have inherent mandates and



responsibilities for culture and communications. These representations are best conveyed by the words of the witnesses themselves:

*Our first recommendation is that Parliament recognize that our country is not merely an economic unit, but rather an expression of its people... We need to see as well as hear a commitment to national cultural institutions, so our second recommendation... is that the government and Parliament commit itself to public support of the arts. -- Susan Crean, Chair, Writers' Union of Canada, (Brief, p.6).*

*...the government, and the cultural sector have an opportunity for a rare and productive collaboration, which will not only strengthen Canada's cultural identity, but the fabric that holds Canada together. We believe a constitutional solution to the question of responsibility for culture is an important development. -- Keith Kelly, National Director, The Canadian Conference of the Arts, (Issue 3:10).*

This kind of testimony is also supported by Canadian public opinion as reflected in recent polling data about attitudes towards Canadian culture. (These statistics were provided to the Committee



by the Minister of Communications, and through a special permission granted by the polling companies.) For example, the 1991 Media Study by Environics reports that seven in ten Canadians believe that Canada has a distinct culture that makes it different from other countries, and six in ten -- the highest proportion since 1985 -- think more should be done to develop a separate identity from the Americans. The 1991 Goldfarb Report states that Canadians want to protect Canadian culture: Canadian ownership of the cultural industries continues to be important to Canadians with 81% believing it to be either very important or somewhat important. Except in Québec, where the two are equally important, the preservation of Canadian heritage appears to be more important to people (70% of adult Canadians) than the preservation of their own ethnic heritage (52% of adult Canadians).

Cultural investments by governments have direct economic benefits too. If one takes the arts industry as a whole then art, unlike science, is both information rich and labour intensive. This is a helpful combination in a capital-intensive information economy threatened by widespread unemployment. From 1971 to 1986, according to an analysis by Kultural Econometrics International, the arts labour force in Canada grew by 99% compared to 47% for the labour force as a whole, literally twice as fast.



The case has been well made before us that, in the current constitutional context, culture and communications are compelling issues of government responsibility to rival such traditional areas of jurisdiction as economic development, social policy, education or protection of the environment. We believe that governments at all levels have vital roles to play in fostering cultural development and preserving our heritage. As well, the federal government has a primary responsibility to ensure the continuing development of comprehensive communications systems so that Canadians may better know and understand themselves and each other. The intrinsic worth of any nation flows from its efforts to promote its creative talents, to honour the proud traditions of its past and to foster the appreciation of such values within its own boundaries and abroad. Culture and heritage are the essence of our national being; communications are the instruments for sharing these values in our collective identity as a country.

It is in this constitutional context that our following recommendations will address some of the proposals contained in these federal government's document *Shaping Canada's Future Together*, in particular our suggestions to set out specific references to culture and communications in the proposed Canada Clause.



## **BUILDING UNITY; PRESERVING IDENTITY**

National identity, like the individual's identity, is made up of many over-lapping and inter-locking parts. Family, neighbourhood, and community connectiona; local, regional, and national interests; the personal and the political; the public and the private. These elements are not mutually exclusive. They are mutually affirming and supporting. The resonances vary and shift, but together they create circles of shared images and stories out of which identity emerges. -- Brief, page 4, Writers' Union of Canada, October 31st, 1991.

The quest for identity is in the nature of every human being. As individuals, we seek to know ourselves. As families we bond to share ourselves. As communities we reach out to join in common cause and yet, while blending our identities in ever larger amalgams, we strive to ensure that no sense of individual identity is lost in the process.

At the personal level, the expression of our identity is a cultural act. Through our interests, likes and dislikes, convictions and skills, each one of us reflects our individual culture. As we share and extend our individual values with one another, our collective culture develops.



In this way, we build neighbourhoods, communities, provinces and a country. A process of synthesis builds on individual cultures to create collective culture; just as it builds on individual identity to create collective identity. The measure of a civilized society is the ability of its people to develop a strong sense of cultural identity, while preserving and, indeed, nourishing the diverse and distinctive parts from which it springs.

Although Canada is still a relatively young nation, its culture is rich and diverse. The challenge facing today's legislators is to forge a collective view of the country that takes into account all of its parts -- but a view that is also larger than the sum of its parts. In our view, Canadian unity does not imply the submersion of diversity into one monolithic entity, nor does it imply the submission of one cultural group to another. Rather, -- believing that our neighbours' differences are not a threat; believing in what we stand for as a community; accepting a role within which our own identity will find free expression; developing a sense of sharing and of common purpose; being tolerant of the beliefs and identities of those around us -- we can give expression to a concept of national unity that builds on its diverse foundations while preserving the identities that support them.



When we speak of national unity in Canada, we are of course referring to the political union of our country under one constitution. That is why it is so important to stress that unity and identity are not synonymous. In fact, it is impossible to conceive of a single, homogeneous Canadian identity; the reality of Canada is that the only common identity is a rich and shared diversity.

*The common ground is diversity. This holds true whether we are describing our geography or our culture. From the first significant brush stroke on an empty white canvas, to the defiant acceptance of our human frailty in the face of our vast northern winter, or the polymorphous cacophony of shape and colour in the sensuous undergrowth of our urban wilderness, we are diverse. We are not a melting pot. We are not a monolith, and we never will be. We are diverse... and it is time we grew up and acknowledged it. -- Greg Graham, National Director, Canadian Artists' Representation, (Issue 20:74).*



This is not a new theme, but it is one requiring constant repetition and reinforcement for each new generation of Canadians. While it may be trite, it is also true that one of the principal common bonds tying Canada together is its very diversity; not only regional, ethnic and linguistic diversity, but also the magnificent diversity of our landscape which is the grand natural environment that we all share as a common heritage. Perhaps nothing more forcefully illustrates this concept of diversity existing in parallel with the concept of a unified country than does the geography of Canada itself. Each incredibly different corner of the country holds a sense of ownership for every Canadian. Though we may never have lived in it, or seen it, we do share in its ownership. We do identify with it as common ground in this great country for ourselves, and as our children's heritage.

That is the essence of belonging to Canada: being able to share in its diversity -- of its geography, of its people, of its institutions and of its cultural experiences. It is simply not necessary, desirable, nor indeed possible, to build a national model for Canada based only on our similarities. Rather, the key to our nationhood in Canada is a recognition and appreciation, indeed a sharing, of our differences. The process of self-examination which Canadians take periodically is unique and positive. It is a democratic process of dialogue and of



consciousness raising, of awareness and commitment to our country. Each person, community and province brings distinctive identity to the whole, and we gain the spirit of nationhood in truly identifying with that diversity, as though it were our own -- and in truth, it is! It is in this sense of dynamic cultural diversity that we have reached the conclusions advanced in our recommendations for an inter-related and inter-dependent visionary approach to cultural development in every corner of the country and for the nation as a whole. Because both culture and communications permeate all aspects of society, because they can mean almost anything or everything, we believe that a process of inter-governmental collaboration must be designed with utmost flexibility and freedom for expression. We can concur that federal/provincial agreements can be different from one province to another, but they must relate together to the nation as a whole, and they should not be entrenched in the Constitution in isolation, one from the other.

Rather, we propose a process which will help to define a cultural vision for each community, for each province and for the entire nation. It would set out the goals that by consensus we would seek to achieve. It would be a process led by governments, but not solely directed or controlled by them; consultation and consensus would be the keys, and cultural accords would be the means. The national framework would, we suggest, be set out in a



Canada Cultural Accord to reflect the respective consensual commitments, and be administered by a Council of Ministers for Cultural Affairs in Canada.

It is our view that, in principle, the partnership approach should be maintained among all levels of government with respect to culture and communications. Indeed, the so-called asymmetrical concept of federalism -- federal strength in areas of national application, yet flexibility to work with each province in appropriate ways -- is the kind of approach which we suggest for the cultural affairs sector. Rather than weakening the foundation of federalism, we believe that flexible federalism, as it is presently practised in cultural affairs, demonstrates clearly both the strength and flexibility of our proposed constitutional framework. We do not favour the concept of constitutionalized federal/provincial agreements, but rather the development of consensus through the vehicle of a Canada Cultural Accord, which would encourage the development of national standards and objectives, while preserving local and regional priorities.

#### QUÉBEC'S DISTINCT SOCIETY

While it is certainly desirable that there be a commitment to negotiate a specific arrangement with Québec, we see no reason for such a commitment to other



provinces for two reasons: first, they may, as they do now, deal with cultural matters as they see the need to do so; and second, we are not talking about the wall of a completely different language. -- Christopher Marston, Executive Director, The Canadian Actors' Equity Association, (Issue 4:28).

In any discussion of provincial and municipal involvement in cultural affairs in Canada, the unique contribution of the Province of Québec must be recognized. It has made a cultural commitment which is distinctive, particularly in its application to its French-speaking citizens, but also in its consideration for English-speaking and other cultural groups. We appreciate the sensitivity of Québec's involvement in its own cultural development, and our Committee has no difficulty in recognizing the distinctive nature of Québec's society in cultural terms. We do, in fact, feel that these distinctions contribute beyond the boundaries of Québec, to include broadly all aspects of the French-language culture in Canada. We suggest that, in the cultural context, the distinct society could be perceived to pertain not only to Québec, but to French-speaking Canadians generally throughout our country. In our perspective therefore, the onus is not only on Québec with respect to the preservation and promotion of our distinct French-language culture in Canadian society, but on the federal government and every other province as well, because



that distinct cultural context resides to varying degrees in every province and territory of Canada.

*Not only must the federal government continue to protect and promote Québec's distinctiveness, it must also promote and safeguard linguistic minorities (Francophones outside Québec) at the national and provincial levels.*

-- Conseil culturel acadien de la Nouvelle-Écosse, (Brief p.4).

We must pay tribute to Québec's distinctiveness in another important way, that being the generous manner in which it has dealt with its minorities. While recent policy issues have tended to strain or obscure traditional relationships, it remains an historical fact that Québec's treatment of its anglophone minority is a positive example of respect for minority rights in Canada. Therefore we feel that this historical fact should be recognized as a fundamental element in the definition of the distinct society, and in our recommendations we offer another dimension to that definition.

#### **SUMMARY AND RECOMMENDATIONS**

*We, in the business of culture, are engaged in helping people understand each other better. By defining,*



shaping and re-shaping our cultural identity, we come to know who we are as a people. Psychology and real-life experience tell us that the basis of fear is ignorance. If we are ignorant of who we are, how can we be expected as a people to better appreciate each other, let alone tolerate each other's differences, or accommodate and support each other's aspirations? If we don't know who we are, we can't even begin to appreciate each other.

-- Yvon Desrochers, Director General, The National Arts Centre, (Issue 3:29).

In creating a constitution that will truly unify our country, it is not really enough that politicians reach consensus about concepts, or that legal experts frame the principles in legislative form. To give real meaning and significance to any unified vision of Canada, it will be necessary for Canadians to understand and identify with the broad spectrum of distinct and differing cultural values to be found in this nation. It is through our artists and our heritage institutions that those values can best be expressed and preserved. Most importantly, it is through our comprehensive means of communications -- our television, radio and telecommunications networks, our daily and weekly newspapers, our books and magazines, our music, our museums and our archives -- that the rich and diverse values of our Canadian cultural heritage can be placed upon the hearts and minds of our Canadian people.



Thus, we have come to the clear conclusion that the pursuit of national unity for Canada must be directed towards the reconciliation of cultural issues, every bit as much as towards political issues. A constitutional accord cannot be reached successfully unless we also find cultural accord. It is in that spirit of challenge, therefore, that we advance the following recommendations for consideration by the Special Joint Committee on a Renewed Canada. It is our further intention to elaborate upon these remarks, to repeat these recommendations and to advance a broad outline of future policy development issues in a subsequent report to the Parliament of Canada.

We offer the following comments, observations and recommendations on the current constitutional proposals of the Government of Canada which, in our view, should be addressed from a culture and communications perspective. Our remarks follow in the same order as the points are contained in the document entitled *Shaping Canada's Future Together*, and we shall omit reference to the constitutional proposals on which we have nothing to say. For purposes of brevity, we have not repeated the text of the proposals themselves. At the beginning, we propose a series of principles which we believe are relevant to the subject-matter generally, as well as a definition of culture for constitutional purposes.

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**A. PRINCIPLES**

The Committee recommends that the following principles be adopted and used as a basis for the resolution of Canada's constitutional proposals and the role of governments in culture and communications.

- (i) That the issues to be resolved are as fundamentally cultural in character as they are political.
- (ii) That culture is multi-jurisdictional among all levels of government but that there is a special federal responsibility to ensure the free expression of Canada's diverse cultural identity.
- (iii) That communications is primarily, although not solely, an area of federal responsibility with respect to policy and regulation.
- (iv) That the goal of Canadian unity connotes a diverse cultural identity throughout Canada; and Canadian political unity must



respect, reflect and promote the diversity of cultural identity.

(v) That constitutional provisions must include the commitment of cultural and communications resources to fulfill them.

(vi) That strong national cultural and communications institutions must be sustained and enhanced as vehicles to help achieve and promote Canada's nationhood.

(vii) That cultural partnerships, as well as political partnerships, among all levels of government and the private sector, are essential instruments to achieve the goal of Canadian unity.

(viii) That the common denominators of Canada's history and heritage must be reflected in its constitutional principles.

(ix) That Canada must give priority to the adoption of national cultural and



- communications policies to fulfill the promise of the constitution.
- The Committee recommends that the following principles be adopted as a basis for the resolution of Canada's constitutional issues and that the federal government in its relations with the provinces and territories should be guided by the following principles:
- (x) That Canada is a national tapestry woven from its linguistic duality and cultural diversity.
  - (xi) That a particular feature of Canadian society is its distinct French-language culture which emanates primarily from Québec and exists throughout Canada.
  - (xii) That other particular features of Canadian society are its distinct aboriginal peoples and its multicultural origins.
  - (xiii) That in order to ensure freedom and maintain flexibility, cultural agreements should not be "constitutionalized".
  - (xiv) That a Canada Cultural Accord should reflect a national cultural vision and coincide with the individual cultural identity expressed by each province and territory.



(xv) That the private sector is an essential partner with government in cultural development, and that partnership should be recognized and encouraged by government fiscal policies.

#### B. DEFINITION

While the Committee has serious reservations about whether or not a definition of culture should be included in the Constitution, there will undoubtedly be circumstances where at least a functional definition will be needed. For example, government proposal No. 9 states that for matters of language and culture, the Senate would have a double majority special voting rule. Also, proposal No. 10 would give the Senate the mandate to ratify the appointments of the heads of national cultural institutions.

Another purpose in proposing a functional definition of culture, is to launch the debate -- for we believe it is essential that the Canadian cultural community participate actively in the discussion. A functional definition of culture, rather than a philosophical or anthropological one, is also more appropriate because it is more likely to reflect accurately the activities or functions which governments now exercise in this sector. The



definition should be broad enough, however, to ensure that it does not hamper future policy initiatives.

For constitutional purposes, the role of governments in matters of culture could include the power to establish and operate institutions, agencies, departments, boards and programs; to legislate and regulate; and to provide financial support to individuals, institutions and other governments, in fields such as the performing, visual and literary arts, film and video, sound recording, publishing, movable and immovable heritage, including galleries, museums, archives and libraries. There are, of course, other areas which could be included, such as sports, aboriginal affairs, multiculturalism, recreation and tourism. The primary list included here, however, is clearly functional and recognizes those cultural areas in which most governments are already active. It is also functional in the sense that it mirrors traditional terms of reference for the federal and provincial ministries of cultural affairs, heritage and communications.

**DEFINITION --** The Committee recommends that, for purposes of constitutional considerations, the definition of cultural activities should include the performing, visual and literary arts, film and video, sound recording, publishing, movable and immovable heritage, including galleries, museums, historic sites, archives and libraries.

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### C. PROPOSAL 1 -- PROPERTY RIGHTS

Several witnesses expressed their concerns that the proposed entrenchment of property rights in the constitution could have serious consequences for the interpretation of intellectual property, and significant adverse impacts upon the administration of heritage property.

*If, for example, someone were to hold a public exhibition and say, well, the corporation that runs this museum is a private corporation, this is private property, we are inviting people onto our property to look at our possessions, and we have every right to do this as property rights, then the exhibition right could become literally window dressing -- the way it is in France right now -- unenforceable. -- Greg Graham, Canadian Artists' Representation (Issue 20:83).*

*...this proposal could undermine or even destroy legal measures that have been put in place by every level of government to protect heritage property for the common good... could change or erode the existing planning and zoning system in Canada. -- Heritage Canada, Supplementary Brief (Page 12).*



...I have no sense of security whatever that an entrenched property rights provision would not annul the heritage legislation of every province of Canada. I think it is conceivable that the Québec Cultural Property Act, the Ontario Heritage Act, the proposed new British Columbia Heritage Act and so on could all find themselves emasculated by an entrenched provision of property rights if that issue went up to Canada's Supreme Court. I think that is entirely possible. -- Marc Denhez (Issue 26:32-33).

Accordingly, our Committee is concerned that entrenchment of property rights in the Charter--especially without a clear definition of the term--could have serious and potentially adverse implications for the cultural and communications sectors. For example, if the courts were to interpret the definition broadly, as in the United States, then existing provisions as represented by federal and provincial legislation with respect to intellectual property and designation or control of heritage properties, could be invalidated by the courts as being inconsistent with this provision.

**PROPERTY RIGHTS --** The Committee did not reach a consensus about the entrenchment of property rights. However, we recommend caution about the implications of such action for



intellectual property, such as copyright, and for immovable cultural property, such as heritage buildings.

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#### D. PROPOSAL 2 -- QUÉBEC'S DISTINCT SOCIETY

Almost without exception, witnesses from Canada's culture and communications sectors recognize and respect the distinct nature of Québec society in terms of French language, culture and civil law. There is unanimous support on our Committee for such recognition to be included in Canada's Charter of Rights and Freedoms.

However, many witnesses also made it clear that they felt that this distinctiveness extends far beyond the provincial boundaries of Québec and that it includes all French-speaking Canadians and the cultural expressions which flow from their language and traditions. There is a sense of discomfort among some members of the Committee that, while not denying the rightful recognition of Québec in terms of language, culture and civil law, any constitutional statement that restricts its definition to Québec may understate the wider definition of Canada's own distinctiveness.



Québec is distinct from any other province in Canada on the basis of its civil code of law alone. Moreover, it is the only province which is essentially unilingual in the French language. From a cultural perspective, Québec must certainly be recognized as the bastion in North America of an identifiable and flourishing French culture which enriches all of Canada, and indeed the entire continent. For example, it is not uncommon to hear French-speaking singers on radio stations as far away as California. Yet, our Committee hopes that the inclusion of Québec as a distinct society in the Charter would not end there, but rather that its application would serve as the genesis, the source, the beginning and the continuation, of French-language cultural vitality to be extended and celebrated throughout Canada and, indeed, North America.

In our view, the challenge for Québec is to take advantage of its uniqueness, not just in pursuit of cultural excellence within its own borders, but also as a positive and constructive influence on the composite cultural character of Canada. In culture, perhaps as in sports, a daring and vibrant offensive spirit is almost always the best defence against assimilation or absorption. In fact, as Québec has demonstrated within Canada for more than 200 years, the evolving values of French-language culture have spread beyond its own provincial borders to become dynamic and integral components of the larger Canadian identity--itself distinct among the nations of the world.



As we stated earlier, another distinct and important characteristic of Québec is the generous manner in which it has dealt with its minorities. It is a model of cultural performance that serves as a positive example insofar as the application of minority rights in language and culture are concerned. Certainly, cultural enclaves cannot be legislated; culture will be what it will be. Rather, we must provide the opportunities and the encouragement for cultures to flourish as they will, and ensure cultural freedom by recognizing all of the sources from which it comes. Therefore, we encourage the recognition of its English-speaking minority and its other diverse cultural identities within Québec's distinct society.

*...I think the distinct society, to begin with, should not be and is not limited to the French Canadians. I think the distinct society, in a cultural sense, is the property of everybody who lives in the province of Québec, including the anglophones... Even all over Canada. So I don't see, in that sense, that it represents a menace... It is perceived as being a threat by some people in other parts of Canada only because of the extreme positions that are taken by what I would call radical nationalists in the province of Québec. -- Clark Davey, Publisher, Ottawa Citizen (Issue 30:38-39).*



...when you are faced with the responsibility of protecting an enclave of French culture when it was completely surrounded by an English Canadian and American influences. That, to me, naturally imparts a certain political urgency to the question. -- Peter Feldman, Executive Director, Canadian Arts Presenters Association (Issue 29:44).

First of all, CTV recognizes that the founding cultures of this nation are distinct. In that regard, a constitution that recognizes this distinctiveness does not pose a threat to us. As a matter of business practice, in fact, CTV forms strategic alliances with Québec-based organizations so that we can reach all Canadians. -- Mr. John Cassaday, President, CTV Television Network Ltd. (Issue 33:57).

We recognize that Quebec is a distinct society and has the right to promote this distinct characteristic and we hope that Quebec will recognize the distinct character of each cultural community and increase its financial support to cultural development of each community. -- Hellenic Canadian Congress, as quoted in brief submitted by Canadian Ethnocultural Council (page 8).



QUÉBEC'S DISTINCT SOCIETY -- The Committee endorses and supports the recognition of Québec in the Charter as a distinct society within Canada, based on its French-speaking majority, its unique culture and its civil law tradition; we further recommend recognition of its English-speaking minority and other diverse cultural identities, as integral elements of Québec's distinct society.

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#### E. PROPOSAL 4 -- ABORIGINAL SELF-GOVERNMENT

It is undeniable that the original founding cultures of Canada emanate from the long history of the aboriginal peoples. Yet, since the arrival of the first European settlers, the opportunities for cultural expression and development by native Canadians have steadily diminished, as has their participation in the contemporary values of Canadian society. Our hearings have produced evidence of strong support within Canada's cultural community for the inclusion of aboriginal rights in Canada's Constitution, and for the integration of aboriginal cultural values and traditions as essential elements within our country's broad national identity.

While recognizing the long and difficult deliberations that will undoubtedly be required to bring definition and substance to the concept of aboriginal self-government, we have detected strong



support among Canadians for this process to begin. The Committee also senses that most Canadians recognize that the historical suppression of aboriginal participation in Canadian life has been a mistake, and the correction process must begin at once. It is essential that cultural considerations be addressed in significant ways, so that native self-government will bring the creative and renewed dimensions of our aboriginal peoples to the national cultural identity of the country as a whole.

*We need to be able to ensure that aboriginal cultures are not left to wither away and die, not only because it would be tantamount to intellectual genocide for those who spring from those cultures but because those who do not spring from those cultures must be able to have a knowledge and understanding of it.-- Mr. Chris Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:30).*

**ABORIGINAL SELF-GOVERNMENT** -- While the Committee has not considered aboriginal self-government generally, we recommend that any definition of self-government provide for the recognition, protection, interpretation and celebration of native heritage and cultural values as distinctive elements in Canada's national identity.

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**F. PROPOSAL 7 -- THE CANADA CLAUSE**

As we have heard repeatedly from our witnesses, culture and communications are both key elements in the essence of the Canadian nation. Yet, in a constitutional context, they are values which have been taken for granted and barely referenced in previous constitutional documents. The current constitutional debate in Canada is as much a cultural issue as a political one. It is significant, in fact, to note that the current proposals include such key cultural areas as Québec's distinct society, aboriginal self-government, broadcasting and the definition of inter-governmental cultural responsibilities.

Indeed, we believe that national unity in Canada can only be achieved on the basis of cultural unity, and yet it must be remembered that "unity" in the Canadian context is based on the common ground of diversity. It is the composition of all our cultural values, each playing its respective part in a national harmony that brings about national unity, whether political or cultural. Canada is best expressed as a symphony of cultures, constantly evolving and changing, but consistently orchestrated and directed within a single constitution and a single confederation. It is the diversity of Canada that is unified in the country, where the impact of its diverse values and capabilities is greater than the sum of its parts.



We also recognize that culture and communications are essentially spontaneous expressions and realities of a people within their society, and it is the responsibility of government to foster and nurture these activities. The values of heritage, culture and communications, and the role of governments in maintaining these values, have not been adequately expressed in constitutional terms. The Committee feels strongly that the time has now come to do so.

*The constitutional proposals of the federal government are heartening in one respect, and that is their declared intention to maintain responsibility for certain national institutions. -- Christopher Marston, Executive Director, Canadian Actors' Equity Association (Issue 4:28).*

*I think we certainly see the importance of including a definition of "culture" and "cultural responsibilities" in the Constitution. I do not think that is an issue at all... we feel if we are not going to repeat these kinds of discussions on a relatively frequent basis, let us address the cultural reality in redoing the Constitution once and for all. -- Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:26).*



...pleased with the federal constitutional proposals because they appear to have acknowledged a national priority for the federal government in matters related to Canadian culture and Canadian identity. -- Canadian Film and Television Producers' Association (Issue 9A:12-13).

...we have to have a mention of cultural rights in the Constitution. -- Susan Crean, Chair, The Writers' Union of Canada (Issue 13:15).

On the basis of this evidence, and consistent with our own convictions, we believe that the proposed Canada Clause should include specific reference to cultural development as the primary means of defining, preserving and promoting our shared characteristics and values. Further, this clause should contain a commitment to the maintenance and growth of our national communications systems as the instruments for exchanging cultural values among Canadians, and transmitting them to the world.

**THE CANADA CLAUSE -- The Committee endorses and supports the principles and values contained in the proposed Canada Clause; we further recommend the addition of two statements:**

- (i) A commitment to foster the diverse cultures and heritages found in Canadian society, and their



development into a shared Canadian culture that preserves, promotes and enhances all of the distinctive identities of its parts.

- (ii) A commitment to comprehensive communications systems accessible throughout Canada, both private and public, both broadcasting and telecommunications, to enable Canadians to know, appreciate and respect their country and themselves.

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**G. PROPOSAL 9 -- SENATE REFORM - DOUBLE MAJORITY VOTING RULE**

While we have not regarded the matter of Senate Reform to be within our terms of reference, we do wish to make a passing comment about the principles of a special double majority voting rule in the Senate for matters of language and culture. Because culture applies to virtually all aspects of society, the Committee has already recommended that a practical and functional definition of culture be adopted for constitutional purposes. Accordingly, unless its application is clearly defined, we advise caution about specific applications of the word "culture" in a constitutional context.

**SENATE REFORM -- DOUBLE MAJORITY VOTING RULE --** The Committee has not considered Senate reform generally; however, we specifically recommend that matters of culture be clearly defined with respect to the application of the proposed Senate double majority voting rule.

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**H. PROPOSAL 11 -- SENATE REFORM - RATIFICATION OF APPOINTMENTS**

There appears to be general support for the proposal to have Senate ratification of the appointment of heads of all national cultural agencies and regulatory boards and commissions. This



concept, which would help to reflect provincial and regional considerations in such appointments, could be constructive and valuable in developing our national cultural identity without diminishing the multiplicity of specific identities from which it springs. Again, as in the preceding comments, we suggest that each agency, institution, board and commission be specifically identified, and should indicate whether the proposal would apply to the Chairman or the President or both. We assume that the proposed Senate double majority voting rule would be applicable to all such ratifications, although this point is not made totally clear in the proposals.

**SENATE REFORM -- RATIFICATION OF APPOINTMENTS --** The Committee has not considered Senate reform generally; however, we do endorse and support the concept of Senate ratification of the heads of national cultural and communications agencies and boards. In this latter respect, we recommend that all such intended agencies, boards, institutions and commissions be specifically identified for the application of this provision, as well as the meaning of "heads" of such entities in each case. We further recommend that the proposed Senate double majority voting rule be applicable in this ratification process.

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## I. PROPOSAL 14 -- THE COMMON MARKET CLAUSE

The Committee was unable to reach consensus on the general application of this proposal. However, cultural expression is the area above all others in Canadian society where the free flow of persons, goods, services and capital should be encouraged. Thus, while we recognize the need for some regulation in certain segments of our cultural industries such as broadcasting, we strongly support the principle of the common market clause as it relates to the unrestricted freedom of cultural exchange and trade within our country. It is only in such a manner that Canada's national identity can fully reflect all the diverse cultural values and identities from which it is formed.

In these respects, however, we have a major concern about the possibility of conflict between this clause and that dealing with the recognition of Québec as a distinct society within Canada for cultural purposes. For example, could the "distinct society" clause take precedence over the efforts to "enhance the mobility of persons, capital, services and goods within Canada" in the culture sector? Specifically, could it be used to inhibit the traditional movement of artists and artistic and cultural products and services across the country? Or would the "common market" clause take precedence? For example, would the present requirement that all film distribution in Québec take place through Québec-



based distributors be allowed under the "distinct society" clause or would it be disallowed by the "common market" clause?

...would provincial cultural policies be considered interprovincial trade barriers? If so, wouldn't this contradict the government's apparent interest in delegating more authority to the provinces -- notwithstanding our own objections? -- Alliance of Canadian Cinema, Television and Radio Artists (Brief, Page 12).

The common market provisions could have implications for provincial heritage, archaeology or cultural property laws. -- Canadian Museums Association (Brief, Page 8).

B.C. Tel endorses the proposal for a common market. The force of technology renders trade barriers anachronistic, counter-productive, and virtually unenforceable. -- Jocelyne Côté-O'Hara, Vice-President, Government Relations, British Columbia Telephone Company (Issue 28:51).

**COMMON MARKET CLAUSE** -- The Committee has not considered the common market clause generally; however, we support the proposal as it relates to the cultural and communications industries and we further recommend that this proposal be



clarified specifically with respect to the recognition of Québec's distinct society in relation to cultural affairs, and also in relation to other provincial cultural development initiatives.

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#### J. PROPOSAL 18 -- TRAINING

It is significant to note that virtually all witnesses were opposed to the prospect that training in the arts and culture sectors would be relegated to the exclusive jurisdiction of the provinces. Such a provision for training is incompatible with the notion of arts and culture as free flowing national activities and could quickly lead to an imbalance in both opportunities for and quality of cultural training programs among the provinces. Our Committee shares with many witnesses the concern that the inclusion of artistic and cultural training in the proposal could, regrettably, begin a process of devolution of cultural affairs from their current pre-eminent status in Canada.

*Abdicating the federal role would virtually guarantee inconsistency and disparity between provinces. In response to this, artists would presumably gravitate to the most conducive environments, centralizing arts activity in one or a few provinces. -- Catherine Smalley,*



Executive Director, Professional Association of Canadian Theatres (Issue 16:11).

*In training in the arts, the Council plays an important role through its funding of two national schools, the National Ballet School and the National Theatre School, and other schools affiliated with performing arts organizations, as well as through grants to individual artists. The Council believes that a federal role in training of artists is vital to their development. -- Allan Gotlieb, Chairman, Canada Council (Issue 31:12).*

*...what is needed is a special emphasis for native people in the sectoral areas... in terms of artistic training and development. -- John Kim Bell, National Director, The Canadian Native Arts Foundation (Issue 15:35).*

While recognizing the constitutional rationale for the major role of the provincial governments in training and professional development generally, the Committee feels strongly that a national policy approach to professional training should be maintained within the culture and communications sectors. From a national (and even international) perspective, it is unthinkable to fragment already limited training resources and facilities among provincial jurisdictions. Similarly, it does not seem reasonable to risk losing the momentum already established through the National



Cultural Sector Training Committee, convened by the artistic community in Canada to collaborate with the strategies of the Canadian Labour Force Development Board. The cultural sector already has a commitment of \$50 million from the federal government's labour force training budget and this important initiative sets a well received precedent for the future of cultural training and professional development in Canada.

Finally, the Committee strongly supports the maintenance and future development of the two national training schools (for ballet and for theatre) that are funded by the Canada Council. Moreover we believe that these institutions set an example for national cultural training facilities.

**TRAINING --** The Committee recommends that the federal government retain leadership in a cooperative approach with the provinces to labour market training in cultural affairs.

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**K. PROPOSAL 19 -- IMMIGRATION**

Since immigration has a profound impact on the cultural identity of Canada, we wish to comment about multiculturalism in Canada. It is of concern to note that there is some resistance to Canada's multicultural policies. Some witnesses expressed concern that these policies, designed to encourage multicultural expression, actually constitute an obstruction to the development of a Canadian cultural identity and a sense of common citizenship.

However, our Committee fully supports the concept of free and diverse cultural expression by and among all people of Canada, regardless of origin, and we further support the policies of multiculturalism which encourage such expression within the mantle of Canada's national cultural vision. We believe that it is important for the government to note the potential for confusion and conflict that exists when the concepts of multiculturalism are not well communicated to (or understood by) the general population. The Committee urges the government to ensure that Canada's cultural distinctions and objectives are clearly defined and addressed in any delegation of responsibility for immigration to provincial governments.

*Our survival as francophones will depend in the next 20 years on immigration to Québec, and the policies of integration that go with it. Between 40% and 45% of the*



people living in Montréal right now are allophones. In the next 10 years they will form a majority. -- Serge Turgeon, President, Union des artistes (Issue 19:20).

...the trustees are looking for a museum that reflects the pluralism of this country, one that provides a sense of affirmation for individual groups within the country... we also have to focus on the transcending themes and symbols that make us a country... to make sure that those two notions are kept in balance. -- Peter Herrndorf, Chairman, Board of Trustees, Canadian Museum of Civilization (Issue 7:18).

I think one factor that perhaps is a little bit overlooked in all of this discussion is that racial tensions are imported. They come with the people who have come to Canada. They bring the baggage with them... another factor is the tough economic times... .Unfortunately, in casting about trying to find villains... and the causes or avenues for expressing dissatisfaction, racism becomes one of those avenues. This is the backlash that you see against the policy of multiculturalism and all this sort of thing. -- Keith Kincaid, President, Canadian Press (Issue 30:40).



**IMMIGRATION --** The Committee has not considered the immigration proposal generally; however, we do recommend that explicit national policy objectives for integration of cultural communities be included in any federal-provincial immigration agreement.

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**L. PROPOSAL 20 -- CULTURE**

Culture has a pervasive influence in any society. Moreover, cultural activities take place throughout the land and are supported by all levels of government. Thus, cultural activities are not the exclusive domain of any local community, province or country. For example, it is clear that Canada's French-language culture emanates primarily from Québec, but it exists throughout the country with some notably strong roots in the provinces of New Brunswick, Ontario and Manitoba. Similarly, many Canadian artists are now international names recognized around the world. Of all the aspects of Canadian society, culture is the most difficult to capture in any but global terms.

Cultural development in Canada has been considered primarily as a federal responsibility, even though in constitutional terms it appears more provincially oriented. Our national institutions and programs for heritage, for the arts, for communications, have



all been the principal instruments for generating the cultural vibrancy of Canada, even though our culture has flourished and been expressed with varying distinctive applications in every province and territory. Additionally, the provinces and territories, as well as their municipalities, have shared substantially and significantly in fostering and sustaining cultural endeavours at the local level. To be sure, culture is a major area of shared jurisdiction, both in principle and in practice.

The Committee favours the concept of a continuing process of federal/provincial/municipal involvement in accepting responsibility for cultural development in Canada, based on broadly defined parameters of intergovernmental cooperation, but with the federal government retaining the prime obligation for both national leadership and the maintenance and development of national cultural institutions and programs.

*The Council has been a strong proponent of healthy provincial, municipal and private sector support for the arts. It remains so, but we believe it is imperative to maintain a strong and healthy national funding body as well... First, a national body ensures equality of rights and opportunities across Canada. Second, a diversity of funding sources helps the development of the arts and ensures greater diversity of creative expression. A clear benefit to artists is greater artistic freedom.*



Third, a national body encourages higher level of awareness, appreciation and judgment since it draws on jurors and advisors from across the country leading to balanced and well informed decision making. Finally, while each region and each group has its own rich heritage and its cultural traditions, an aggregation of separate parts does not constitute a nation. The whole must be greater than the sum total of its parts. -- Allan Gotlieb, Chairman, Canada Council (Issue 31:12).

The people have a right to cultural expression at every level; municipal, regional, provincial, territorial, federal and international. The arts and culture are a shared responsibility. -- Greg Graham, National Director, Canadian Artists Representation (Issue 20:75).

After reviewing the issues involved and obtaining expert legal advice, the Committee has concluded that the federal government, and other levels of government, already have the necessary latitude in matters of cultural jurisdiction and that the Constitution need not be amended in these respects. Through its spending power; through the power to establish its own institutions; and through the power to legislate for peace, order and good government; the federal government possesses the mechanisms to establish national cultural policies and initiatives. It is also clear that in the exercise of these powers, the federal government does not prevent



provincial governments from exercising their own authority in cultural matters on behalf of their citizens.

The variety of funding available to the arts ensures that a range of different activities will be funded. If a provincial funding body has little interest in modern dance, it is useful for the dance community to have somewhere else to turn for support. But there is a stronger, more compelling argument to maintain our federal institutions. The confederation of provinces which makes up Canada is more than just a common market... It is important that there are such bodies which can allow communication between different regions, so that we can see our common values, not just our differences. -- Council for Business and the Arts in Canada (Issue 23A:6-7).

In fact, the Committee supports the evolution of a national process of inter-governmental action to create a framework, a Canada Cultural Accord, that would recognize the dynamic nature of cultural affairs in Canada and would set out the components of our cultural vision -- province-by-province, territory-by-territory -- for the country as a whole.

In such an approach, differing federal-provincial agreements could be reached, varying from one province to another, depending



upon the circumstances. As well, however, all agreements would be inter-dependent and inter-related in terms that addressed national cultural objectives. Within the framework of such a Canadian Cultural Accord, it would be possible to address the differing and distinctive elements of Canadian culture, and new priorities as they emerged, while being able to retain the national focus of our cultural diversity so that it would reflect the total composite vision of our nation. In our view, to "constitutionalize" anything about culture, save the principle of our commitment to it, would be to fragment, diminish and inhibit the total richness of our cultural potential.

Perhaps the case is best made in a brief submitted both to the Special Joint Committee on Canada's Renewal and to our Committee, by the Saskatchewan Arts Board. This group stated the principles that should guide the development of an accord:

- 1) Clarity should be provided in the area of bi-lateral negotiations for culture.
- 2) An enhanced level of intergovernmental collaboration and consultation should occur on programs and initiatives for the cultural sector.
- 3) The federal government should consider the development of a national cultural policy framework outlining fundamental principles of the federal government in the cultural sector.
- 4) The document should articulate more clearly defined initiatives for a



national presence in the international community for the arts and culture industries. -- Saskatchewan Arts Board, (Brief, Pages 6-7).

There is a lot of value in not having a nice, neat partition of powers between the federal and provincial governments in culture... In fact, it is really much more favourable for cultural development and freedom of expression and diversity of expression if you have more than one source providing support and funding... You have much more likelihood of hearing a diversity of voices and points of view, and that is surely going to benefit society in the long run. -- Roy MacSkimming, Director, Association of Canadian Publishers (Issue 11:26).

While provincial governments should be increasing their role in advancing culture in each province, there remains a strong role for the federal government to facilitate sharing of cultural endeavours across the country and in building a strong Canadian culture and Canadian identity. -- Canadian Ethnocultural Council, (Brief, Page 8).

With respect to culture, there is talk of the possibility of signing federal-provincial agreements. We do not see many of our provinces rushing into signing cultural agreements that affect us. Therefore, for us, it is



essential that the federal government retain its spending power and authority to intervene. Provincial governments will not necessarily provide for our cultural development. -- Marc Godbout, Executive Director, Fédération des communautés francophones et acadiennes du Canada (Issue 33:51).

Our Committee shares the government's view that there are areas "in which neither the federal government nor the provincial governments can act alone to achieve shared goals. In these cases, a joint federal/provincial effort to manage inter-dependence in the interest of all Canadians is essential". (*Shaping Canada's Future Together*, p. 28) We believe that culture falls into this category. We also concur with the government's assertion that "...Canada's cultural policies and jurisdictions must offer the flexibility of ensuring that the roots of culture are enhanced and enriched -- and that there are no impediments to provincial governments playing the roles they deem appropriate in the cultural field". (*Shaping Canada's Future Together*, p. 35) While provincial governments do appear to have a constitutional mandate to promote cultural development and preservation of heritage within their own boundaries, what they clearly lack is the financial capability (and in some cases the will) to fulfil their existing cultural responsibilities. Therefore, we restate our preference for consultation and partnership among federal and provincial governments with respect to cultural affairs, with prime



responsibility at the federal level when the support of its spending power is required to reach the common objectives. Again, we advance the concept of a Canada Cultural Accord as the ultimate national expression of federal/provincial undertakings to achieve optimum development of cultural values throughout Canada.

In addition, our Committee is concerned not only for the maintenance and enhancement of existing national cultural institutions and programs, but also for the development of new ones as they become necessary. The proposal for federal/provincial agreements is silent on these very important matters, and yet it is clearly essential that the inter-provincial, national and international content of these institutions and programs be fully sustained. Again, it is our view that these implications are best addressed on a national basis through a consolidated series of federal/provincial accords.

*The fact of the matter is that there really would not be any Québécois or francophone cinematography in Canada if it were not for the National Film Board... Comments made by Québec actors clearly reflect that the NFB is crucial to that province's cultural future, and to the cultural future of other provinces. -- Joan Pennefather, Government Film Commissioner and Chairperson, National Film Board (Issue 10:22).*



We are publicly and clearly opposed to Section 20. We are of the opinion that culture is clearly a national issue. We feel that further devolution of cultural responsibility will be clearly damaging to any sense of national unity, and also to its economic base in Canada.

-- Brian Chater, Executive Director, The Canadian Independent Record Production Association (Issue 17:5).

CULTURE -- The Committee recommends that national cultural policy be expressed through a Canada Cultural Accord based on a shared national vision and reflecting a composite of all federal/provincial agreements for cultural affairs, and that such an Accord be subject to continuing review and revision, and not be entrenched in the Constitution.

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#### M. PROPOSAL 21 -- BROADCASTING

We agree that "broadcasting is an area of importance both to Canada's identity and to cultural expression." (*Shaping Canada's Future Together*, p. 35) There was general support among our witnesses for the concept of greater consultation with the provinces in broadcasting and telecommunications policies, including the proposals to increase regional influences with respect to operations of the CRTC. However, this support was



expressed in very cautious terms, and there is a pronounced and virtually unanimous concern that these new directions should not become a prelude for two-tier regulation of broadcasting and telecommunications in Canada. In short, provincial consultation and regional influence is acceptable, but there must remain only one regulatory authority under federal government jurisdiction.

We would be extremely concerned by any splintering of regulatory authority. This applies not only to CRTC splintering, but to any form of two-tier regulation involving both provincial and federal levels. -- Sheelagh Whittaker, President & Chief Executive Officer, Canadian Satellite Communications Inc. (Issue 8:9-10).

Our feeling is that there is room for a lot more provincial and regional input in the structure and operation of the broadcasting and telecommunications industry in Canada, but it has to be made in a fashion consistent with national interest... It would be a mistake to go back to something in which you had two different jurisdictions, each pursuing independent objectives. -- Eldon Thompson, President and Chief Executive Officer, Telesat Canada (Issue 10:33, 43).

...pleased that the government's proposals do not appear to result in dual regulation of the Canadian broadcasting



system. The cable industry has long been opposed to a two-tiered regulatory system, on the basis that such a system is costly, would produce jurisdictional disputes, and would contribute to a fragmented identity for national broadcasting standards. -- Ken Stein, President and Chief Executive Officer, Canadian Cable Television Association (Issue 20:36).

...a real concern we would have as an industry is that we would be faced with two-tier regulation. -- J.H. Farrell, President, Telecom Canada (Issue 24:13).

It should also be noted that there were insistent calls from many witnesses for an enhanced and consolidated broadcasting and telecommunications policy in Canada. Rapidly emerging technology, such as satellite and digital services, raises questions about the capability of the regulatory system to control the use of the broadcasting spectrum effectively. It seems technically impossible to contemplate blocking signals from the proposed American SkyPix satellite to television sets in Canadian homes. As well, the developing convergence between broadcasting and telecommunications is already creating regulatory imbalance and conflict. Further, serious economic difficulties are being encountered throughout the broadcasting industry and there are major new competitive developments within Canada's telecommunications networks. All of



these factors point to the need for a continued strong and unified federal government authority in these areas.

The broadcasting sector is about to come to terms with pay-per-view and direct broadcast satellites. This really will mean that the kind of protections we have been able to put into our Canadian broadcasting system to allow Canadians to see Canadian content on television, are going to be effectively overridden by technology. -- Keith Kelly, National Director, Canadian Conference of the Arts (Issue 3:9).

Technology is taking what we used to call broadcasting and completely redefining it. Nowadays, satellites... are able to carry far, far greater numbers of signals per transponder than was ever imagined previously... This (SkyPix) and services like it appear to be unregulatable in our present political and legislative environment. -- Canadian Film and Television Production Association (Issue 9A:5).

We are looking at SkyPix very closely at the moment, and will determine what regulatory approach will be most appropriate and effective to deal with this potential threat to the Canadian broadcasting system. One option that is certainly not open to us, however, is to simply



close our border to this electronic signal invasion. -- Keith Spicer, Chairman, Canadian Radio-television and Telecommunications Commission (Issue 15:7).

...the most important thing we need in this country is a national policy on telecommunications... We should not be prevented from being able to carry broadcast-type services to the home or wherever. There should be no artificial barriers there saying we can't do that. -- J.H. Farrell, President, Telecom Canada (Issue 24:24, 27).

There is generally strong support for the continuance of a national public broadcaster, and the role of the CBC is highly regarded as an essential instrument in Canada's communications process. While we did not receive significant comment concerning the proposal for provincial governments and their agencies to evolve into full public broadcasting undertakings with varied programming, there is certainly a sense of comfort and confidence that such provincial activity would be subject to CRTC regulation. However, if provincial activity in broadcasting were perceived as a prelude to the fragmentation of the CBC network into autonomous provincial or regional segments, then we sense from our hearings that there would be very strong opposition to such a prospect from all corners of the country.



While the Committee recommends the continuation of a single, federal authority over broadcasting and telecommunications, we believe it unnecessary to entrench this authority in the Constitution. In these matters, decisions of the Supreme Court are unequivocal and sufficient.

**BROADCASTING** -- The Committee recommends the continuation of a single, federal authority over broadcasting and telecommunications; we further endorse and support the government's broadcasting proposals for provincial and regional consultations in the national application of a comprehensive communications policy, on the basis that the traditional open public hearing process is maintained whenever new services are involved.

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#### **N. PROPOSAL 22 -- THE RESIDUAL POWER**

Witnesses from the telecommunications industry raised concerns about the government's proposal to transfer to the provinces authority for non-national matters not specifically assigned to the federal government under the Constitution or by virtue of court decisions. The Committee is aware that Supreme Court decisions have confirmed the federal authority over broadcasting and telecommunications and it is partly for this reason that we have



recommended the continuation of a single federal authority over these matters.

Nevertheless, witnesses from the telecommunications industry are concerned that if some residual powers are transferred to the provinces, rapidly developing and changing technology could lead to roadblocks to the national diffusion of new technologies and services in the decades ahead. The Senior Adviser for B.C. Telephone expressed this concern during our hearings:

*It is easy to imagine that in emerging technologies that invade both property and civil rights, on the one hand, and broadcasting and telecommunications -- both of which are federal -- that there will be instances where a devolution of the residual clauses to the provinces will lead to new provincial jurisdiction. I think that's certainty in the next century. -- Greg van Koughnett, Senior Adviser, Legal and Government Relations, British Columbia Telephone Company (Issue 28:56).*

The Canadian Business Telecommunications Alliance also expressed concern:

*We're somewhat concerned that the proposal to transfer authority over non-national matters not specifically assigned to the federal government will have*



a chilling effect on the development of federal regulatory and policy authority by, in effect, freezing the federal heads of power at their present level.

While the Supreme Court has spoken, as I said before, with respect to jurisdiction over telecommunications, we hope that future developments in the communications industry and technology are not relegated to provincial authority as not having been specifically assigned to the federal government. -- Mairi MacDonald, General Counsel, Canadian Telecommunications Alliance (Issue 23:12).

**RESIDUAL POWER** -- The Committee has not considered the residual power provisions generally; however, the Committee supports the government's proposal to retain authority for national matters assigned to the federal government by virtue



of court decisions, especially in matters dealing with broadcasting and telecommunications, without excluding future technologies or services from federal authority.

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#### O. PROPOSAL 24 -- AREAS OF PROVINCIAL JURISDICTION

It must be noted that in two of the areas proposed for exclusive jurisdiction of the provinces -- tourism and recreation -- there are significant cultural implications. For example, arts festivals are frequently the basis for tourism programs; sports, fitness and recreational activities are generally perceived to be part of our national cultural content; and of course local governments play a significant role in generating and supporting cultural development at the essential grass roots level from which it most frequently comes. Therefore, we feel that the delegation of jurisdiction in these areas should contain a recognition of the continuing federal responsibility for the national (indeed inter-provincial) and international implications arising from these specific matters.

We have suggested the development of a Canada Cultural Accord which would capture all the federal/provincial relationships and undertakings in the broad field of cultural activity, and which would ensure that our national vision in these areas remained in



focus while also respecting and fulfilling regional and provincial objectives. Again, in these proposed areas of provincial jurisdiction, we prefer a concurrent approach expressed in policy terms through a document such as a Canada Cultural Accord.

**AREAS OF PROVINCIAL JURISDICTION --** The Committee recommends that the areas of tourism and recreation be included as considerations in a Canada Cultural Accord to reflect continuing federal/provincial agreements and objectives in these areas.

**P. PROPOSAL 27 -- THE FEDERAL SPENDING POWER**

Members of the Committee agree that the Government of Canada must continue to have the ability to make transfer payments to individual Canadians and to organizations. The Committee has earlier recommended that the federal government continue to exercise its authority in cultural affairs, broadcasting and telecommunications. In cultural affairs, the Committee has recommended that policies and programs be set out in a Canada Cultural Accord, including existing and future national cultural institutions and programs. Many of these institutions and programs exercise their mandate by making transfer payments (grants and awards) to individual artists and artistic organizations. Thus the Committee wishes to signal the necessity for this federal authority to be maintained.



FEDERAL SPENDING POWER -- The Committee has not considered the federal spending power provisions generally; however, we recommend that any changes in these respects not inhibit the capability of national cultural institutions and programs to continue transfer payments to individual artists and artistic organizations.

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Q. PROPOSAL 28 -- A COUNCIL OF THE FEDERATION

The established practice of federal/provincial consultation through councils of ministers, such as the Canadian Council of Communications Ministers, has been effective and we feel that our proposal for a national policy working document on cultural affairs, such as a Canada Cultural Accord, would most appropriately be developed and administered through such an organization.

COUNCIL OF THE FEDERATION -- The Committee has not considered the Council of the Federation generally; however, we do recommend the establishment of a formal Council of federal/provincial/territorial ministers of cultural affairs to guide and direct the development and implementation of a



Canada Cultural Accord which will fully reflect the application of federal/provincial agreements and objectives in cultural affairs.

\*\*\*\*\*

Timothy Ross Wilson  
Clerk of the Commission

Bob Bird, M.P. - Chairman

*[Handwritten signature]*  
Mary Jane M.P.

Hamilton - Wentworth



Extract from the Minutes of Proceedings of Wednesday, February 5, 1992:

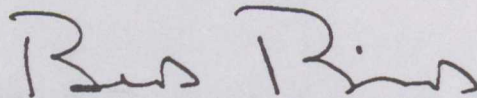
“Geoff Scott moved,—That the written presentation, as amended, be adopted and submitted to the Special Joint Committee on a Renewed Canada; and

That such presentation be signed by Committee Members in their capacity as individual Members of Parliament.

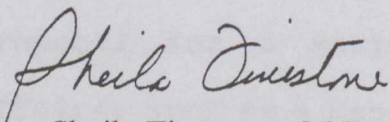
After debate, the question being put on the motion, it was, by a show of hands, agreed to: YEAS: 5; NAYS: 0.”

ATTEST:

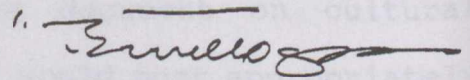
Timothy Ross Wilson  
Clerk of the Committee



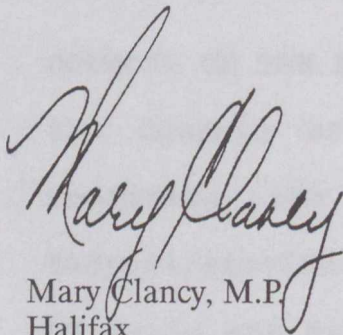
Bud Bird, M.P.—Chairman  
Fredericton—York—Sunbury



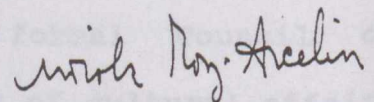
Sheila Finestone, M.P.  
Vice-Chair  
Mount Royal



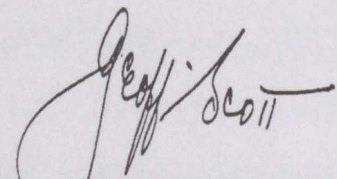
Jean-Pierre Hogue, M.P.  
Vice-Chair  
Outremont



Mary Clancy, M.P.  
Halifax



Nicole Roy-Arcelin, M.P.  
Ahuntsic



Geoff Scott, M.P.  
Hamilton—Wentworth



Translation  
3254 (236)  
KEC 19/3/92

APPENDIX C

List of Witnesses

March 17, 1992

Mr Bud Bird  
Chairman, Standing Committee on  
Communications and Culture  
Room 232 - West Block  
House of Commons

Dear Mr Bird,

As you know, I endorsed the brief entitled "Culture and Communications: The Ties that Bind", which the Standing Committee on Communications and Culture presented to the Special Joint Committee on a Renewed Canada on February 6.

Now that I have received and read the French version of the brief, I would like to make the following suggestion:

**Recommendation 4.**

"The Committee endorses" -- should be altered to read, "A majority of the Committee endorses etc.", and at the end of the text I would like added, "However, one of the members of the Committee, Nicole Roy-Arcelin (PC, Ahuntsic), recommends that, since Quebec already has its own Charter of Rights and Freedoms and its own Ministry of Culture and Cultural Communities, which have traditionally been exemplary defenders of the rights and freedoms of the anglophone minority and other cultural communities, the second part of this recommendation be withdrawn."

I would appreciate your having this letter appended to the brief, given that the brief will be appended to the report our Committee will shortly be tabling in the House.

Thank you for your attention to this request.

Yours sincerely,

[sgd]

Nicole Roy-Arcelin  
Parliamentary Secretary to  
the Minister of Communications



Extract from the Minutes of Proceedings of Wednesday, February 5, 1992

Translation  
(222)

Chief Scott Wood -- That the written presentation, submitted as requested, be placed on the agenda of the next meeting of the Committee on a Renewed Canada; and

That the presentation be referred to the Standing Committee on Communications and Culture.

March 17, 1992

Henry, asked for words to be said by the House on the occasion of the 25th anniversary of the passage of the Official Languages Act.

Mr. Bud Bird  
Chairman, Standing Committee on  
Communications and Culture  
Room 222 - West Block  
House of Commons

Dear Mr. Bird,  
Thank you for your letter of February 17, 1992.

As you know, I endorsed the brief entitled "Culture and Communications: The Time has Come", which the Standing Committee on Communications and Culture presented to the Special Joint Committee on a Renewed Canada on January 4.

Now that I have received and read the French version of the brief, I would like to make the following suggestion:

Recommendation 4

"The Committee's suggestion" -- should be placed at the end of the majority of the Committee's report, and at the end of the text of the report. However, one of the members of the Committee, Ms. Joy-Anne Arsenault (PC, Montreal), recommends that since Quebec already has its own Charter of Rights and Freedoms and its own Ministry of Culture and Communications, which have traditionally been exempted defendants of the rights and freedoms of the anglophone minority and other cultural communities, the second part of this recommendation be withdrawn."

I would appreciate your having this letter appended to the brief, given that the brief will be appended to the report of the Committee and will shortly be tabled in the House.

Yours sincerely,  
J.M. Arsenault

Thank you for your attention to this request.

Yours sincerely,  
[Signature]  
Nicole Roy-Arsenault  
Parliamentary Secretary to  
the Minister of Communications  
J.M. Arsenault



# APPENDIX C

## List of Witnesses

ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>AGT Limited</b> Jim Pratt, Vice-President, Regulatory Policy Angus Oliver, Director, Regulatory Policy	22	November 25, 1991
<b>Alliance of Canadian Cinema, Television and Radio Artists</b> Bruce MacLeod, Acting President Sonja Smits, Star, CBC-TV "Street Legal" and Toronto Performer Cam Cathcart, Vice-President, Broadcast Journalist Council, Cohost, "The Best Years", CBC-TV Garry Neil, General Secretary Catherine Allman, Director, Communications and Research	25	November 28, 1991
<b>Association of Canadian Orchestras</b> P. Diane Hoar, Member of the Board and Chair, Government Communications Committee; President and Chief Executive Officer, Vancouver Symphony Orchestra Betty Webster, Executive Director	24	November 27, 1991
<b>Association of Canadian Publishers</b> Roy MacSkimming, Director	11	October 29, 1991



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>British Columbia Telephone Company</b>		
Jocelyne Côté-O'Hara, Vice-President, Government Relations	28	December 4, 1991
Norine Heselton, Director, Regulatory Affairs and Government Relations		
Greg van Koughnett, Senior Advisor, Legal and Government Relations		
<b>Canada Council</b>		
Allan Gotlieb, Chairman	31	December 10, 1991
Jacques Lefebvre, Vice-Chairman		
Joyce Zemans, Director		
Peter Brown, Senior Assistant Director, Treasurer and Director of Administration and Finance		
Viviane Launay, Secretary-General for the Canadian Commission for UNESCO		
<b>Canadian Actors' Equity Association</b>		
Christopher Marston, Executive Director	4	October 2, 1991
Jeff Braunstein, President		
<b>Canadian Artists' Representation</b>		
Greg Graham, National Director	20	November 20, 1991
<b>Canadian Arts Presenters Association</b>		
L. Peter Feldham, Executive Director	29	December 5 1991
<b>Canadian Association of Broadcasters</b>		
Michel Tremblay, Executive Vice-President	27	December 3, 1991
Emmanuelle Gattuso, Senior Vice-President, Public Affairs		
Bernard Montigny, Executive Vice-President of l'A.C.R.T.F. (Quebec Regional Association)		



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>Canadian Broadcasting Corporation</b>		
Gérard Veilleux, President	12	October 30, 1991
Patrick Watson, Chairman of the Board		
Anthony Manera, Senior Vice-President		
Michael McEwen, Executive Vice-President		
Joan Gordon, Director, Parliamentary and National Community Relations		
Trina McQueen, Vice-President, News, Current Affairs and Newsworld, English Television Network		
<b>Canadian Business Telecommunications Alliance</b>		
George Horhota, President	23	November 26, 1991
Mairi MacDonald, General Counsel		
<b>Canadian Cable Television Association</b>		
Ken Stein, President and Chief Executive Officer	20	November 20, 1991
Roger Poirier, Senior Vice-President		
Guy Beauchamp, Immediate Past President		
<b>Canadian Conference of the Arts</b>		
Keith Kelly, National Director	3	October 1, 1991
Susan Annis, Associate Director		
<b>Canadian Film and Television Production Association</b>		
Charles Falzon, Chairman	9	October 23, 1991
Peter Mortimer, Director, Policy and Planning		
<b>Canadian Independent Record Production Association</b>		
Brian Chater, Executive Director	17	November 7, 1991



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>Canadian Library Association</b>		
Karen Adams, Executive Director	9	October 23, 1991
<b>Canadian Magazine Publishers Association</b>		
Lynn Cunningham, President, Executive Director, Toronto Life Magazine	24	November 27, 1991
Jeff Shearer, Chairman of Political Affairs', Publisher, Saturday Night Magazine		
Catherine Keachie, Executive Director		
<b>Canadian Museum Association</b>		
F. Morris Flewwelling, President	32	December 11, 1991
John G. McAvity, Executive Director		
<b>Canadian Press (The)</b>		
Keith Kincaid, President	30	December 9, 1991
<b>Canadian Native Arts Foundation</b>		
John Kim Bell, National Director	15	November 5, 1991
<b>Canadian Radio-Television and Telecommunications Commission</b>		
Keith Spicer, Chairman	15	November 5, 1991
Allan Darling, Secretary-General		
<b>Canadian Recording Industry Association</b>		
Brian Robertson, President	4	October 2, 1991
<b>Canadian Satellite Communications Inc. (CANCOM)</b>		
Sheelagh D. Whittaker, President and Chief Executive Officer	8	October 22, 1991
Claude W. Lewis, Executive Vice-President		
Susan E. Cornell, Vice-President, Regulatory, Corporate and Native Affairs		



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>Coalition to Restore Full RCI Funding</b>		
Wojtek Gwiazda, Former Producer and Host, English Service, Radio Canada International	29	December 5, 1991
Maggy Akerblom, Former Producer and Host, German Service, Radio Canada International		
Daniel Black, Journalist, French Newsroom, Radio Canada International		
Sheldon Harvey, President, Canadian International DX Club		
<b>Common Agenda Alliance for the Arts</b>		
Garry Conway, Executive Director, Association of Canadian Publishers	30	December 9, 1991
Roy MacSkimming, Executive Director, Association of Canadian Publishers		
<b>Council for Business and the Arts in Canada</b>		
John P. Fisher, Chairman	23	November 26, 1991
Blair Mascall, President and Chief Executive Officer		
<b>CTV Television Network Ltd.</b>		
John Cassaday, President	33	December 11, 1991
Gary Maavara, Vice-President, Operations and Corporate Planning		
Peter O'Neill, Vice-President, Public Affairs		
Denhez, Marc (Lawyer)	26	December 2, 1991
<b>Department of Communications</b>		
Ken Hepburn, Senior Assistant Deputy Minister, Corporate Policy	33	December 11, 1991
Perry Anglin, Assistant Deputy Minister, Arts and Heritage		



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
Paul Racine, Assistant Deputy Minister, Communications Policy		
<b>Department of the Environment</b>		
Aimée Lefebvre-Anglin, Assistant Deputy Minister, Parks Service	31	December 10, 1991
George Ingram, Director, Federal Heritage Policy, National Historic Parks and Sites Directorate		
<i>Fédération des communautés francophones et acadiennes du Canada</i>		
Marc Godbout, Executive Director	33	December 11, 1991
Sylvio Morin, Director of Communications		
<b>Heritage Canada</b>		
Elizabeth Bayer, Chair of the Board of Governors	21	November 21, 1991
Jacques Dalibard, Executive Director		
P.M. Vachon, Governor for Quebec		
Hogue, Jean-Pierre (M.P.)	28	December 4, 1991
<b>National Archives</b>		
Jean-Pierre Wallot, National Archivist	21	November 21, 1991
Michael Swift, Assistant National Archivist		
Françoise Houle, Director General, Policy Branch		
Derek Ballantyne, Director General, Archives Headquarters Accommodation Project		
<b>National Arts Centre</b>		
Yvon Desrochers, Director General	3	October 1, 1991



<b>ORGANIZATIONS AND/OR INDIVIDUALS</b>	<b>ISSUES</b>	<b>DATE</b>
<b>National Film Board</b>		
Joan Pennefather, Government Film Commissioner and Chairperson	10	October 24, 1991
Marc Dorion, Vice-Chair of the Board of Trustees		
Michelle d'Auray, Director, Corporate Affairs		
<b>National Gallery of Canada</b>		
Shirley L. Thomson, Director	5	October 3, 1991
Kathleen Hermant, Vice-Chairperson, Board of Trustees		
Brydon Smith, Assistant Director, Collections and Research		
<b>National Library of Canada</b>		
Marianne Scott, National Librarian	6	October 8, 1991
Gwynneth Evans, Director of External Relations		
Tom Delsey, Director of Policy and Planning		
<b>Ottawa Citizen (The)</b>		
Clark Davey, Publisher	30	December 9, 1991
<b>Professional Association of Canadian Theatres</b>		
Mallory Gilbert, President and General Manager of Tarragon Theatre	16	November 6, 1991
Duncan McIntosh, Artistic Director		
<b>Society of Composers, Authors and Music Publishers of Canada (SOCAN)</b>		
Michael Rock, Chief Operations Officer		
François Cousineau, Vice-President	30	December 9, 1991



ORGANIZATIONS AND/OR INDIVIDUALS	ISSUES	DATE
<b>Telecom Canada</b>		
J.H. Farrell, President	24	November 27, 1991
E.L. Bebee, Director General, Policy Development and Public Affairs		
<b>Telefilm Canada</b>		
Pierre DesRoches, Director General	20	November 20, 1991
Michèle Fortin, Associate Director General		
Pierre Pontbriand, Director, Communications		
<b>Telesat Canada</b>		
Eldon D. Thompson, President and Chief Executive Officer	10	October 24, 1991
Christopher Frank, Manager, Regulatory Matters and Corporate Policy		
<b>Union des artistes</b>		
Serge Turgeon, President	19	November 19, 1991
Serge Demers, Director General		
<b>Unitel Communications Inc.</b>		
Richard Stursberg, Senior Vice-President, Government Legal and Environmental Affairs	28	December 4, 1991
Pierre Lamarche, Vice-President, Government Matters		
<b>Writers' Union of Canada (The)</b>		
Susan Crean, Chair	13	October 31, 1991
Penny Dickens, Executive Director		



## APPENDIX D

### List of Submissions Received

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Alberta Municipal Association for Culture	November 12, 1991
Alberta Museums Association	November 14, 1991
Alberta Society of Artists	November 12, 1991
Alberta Theatre Projects	November 22, 1991
Anderson, Helene	November 24, 1991
Arts and the Cities	November 13, 1991
Art Gallery of Greater Victoria	January 16, 1992
Art Gallery of Windsor	January 13, 1992
Assembly of British Columbia Arts Council	January 15, 1992
Association acadienne des artistes professionnels du Nouveau – Brunswick	November 13, 1991
<i>Association des artistes de la Saskatchewan</i>	November 14, 1991
Association of Cultural Executives	October 22, 1991
Association for Media and Technology in Education in Canada	November 16, 1991
Association of National Non – Profit Artists' Centres	February 12, 1992
Astral Communications	January 14, 1992
Baton Broadcasting Incorporated	November 18, 1991
Beaverbrook Art Gallery	October 16, 1991
Beckel, Dorothy	November 13, 1991
Book and Periodical Council	November 27, 1991
British Columbia Forest Museum	November 4, 1991



Broadway Video	January 8, 1992
Canadian Association of University Teachers	December 6, 1991
Canadian Bar Association	December 1, 1991
Canadian Book Publishers' Council	November 19, 1991
Canadian Centre for Architecture	November 29, 1991
Canadian Crafts Council	November 8, 1991
Canadian Electroacoustique Community	January 10, 1992
Canadian Ethnocultural Council	January 7, 1992
Canadian Federation of Friends of Museums	January 27, 1992
Canadian Filmmakers Distribution Centre	October 31, 1991
Canadian Historical Association	January 22, 1992
Canadian Images Canadiennes 3	November 15, 1991
Canadian Institute of Adult Education	October 24, 1991
Canadian League of Composers	November 8, 1991
Canadian Museum of Civilization	November 5, 1991
Canadian Museum of Nature	November 5, 1991
Canadian Music Centre	November 12, 1991
Canadian Native Arts Foundation	January 9, 1992
Canadian Opera Company	November 15, 1991
Canadian Union of Public Employees	November 15, 1991
Center for Research Action on Race Relations	December 2, 1991
Chambers, P.	November 16, 1991
CHIN Radio/TV International	November 29, 1991
COGECO Inc.	December 3, 1991
College of Craft and Design	November 4, 1991



<i>Commission des biens culturels du Québec</i>	September 17, 1991
Community Arts Council of Kamloops	January 29, 1992
Community Arts Council of Vancouver	February 1992
ConnaissART p.c.y. Inc.	November 14, 1991
Copyright Board Canada	November 15, 1991
Crossroads Christian Communications	October 29, 1991
Dance Saskatchewan	November 15, 1991
Dancer Transition Centre	November 12, 1991
De Laat, Clement	November 15, 1991
Design Exchange	November 14, 1991
Dickson, Jennifer	December 30, 1991
ED Video Media Arts Centre	November 20, 1991
Expositor (The)	December 4, 1991
Flaten, Barbara	November 20, 1991
Fort Saskatchewan	November 20, 1991
Fringe Festival of Toronto	November 13, 1991
Gallant, Edgar	December 9, 1991
Gallery Connexion	November 18, 1991
Giffen, Joan	December 18, 1991
Glenbow Museum	December 19, 1991
Globe Theatre	January 28, 1991
Great Canadian Theatre Company	November 15, 1991
Green Thumb Theatre for Young People	November 1, 1991
Greene, Sandra	November 15, 1991
Hammond, C. Wilson	November 1, 1991



Holocaust Remembrance Committee	January 15, 1992
Inuit Broadcasting Corporation	November 15, 1991
Johnson–Vosberg, Colette	November 13, 1991
Kelowna Art Gallery	October 29, 1991
Krienke, Joan S.	November 29, 1991
Langley Community Music School Society	November 8, 1991
League of Canadian Poets	December 3, 1991
<i>Les grands ballets canadiens</i>	December 27, 1991
MacKenzie Art Gallery	January 29, 1992
Manitoba Arts Council	December 13, 1991
Manitoba Registered Music Teachers' Association	November 18, 1991
Manitoba Telecommunications Policy Office	December 19, 1991
Marchand, Nicole	November 20, 1991
McIntosh Gallery	December 3, 1991
McClelland and Steward, The Canadian Publishers	November 21, 1991
McFarland, Bob	November 15, 1991
Medecine Hat The Gas City	November 21, 1991
Mermaid Theatre of Nova Scotia	November 6, 1991
Museum of Natural History Associates	January 16, 1992
National Aboriginal Communications Society	January 20, 1992
National Association of Cultural Education Centres	November 29, 1991
National Museum of Science and Technology	November 19, 1991
New Brunswick Arts Board	November 14, 1991
New Brunswick Indian Arts and Crafts Association	November 27, 1991
NGL Consulting Ltd.	March 18, 1991



Niemi, Helen E.	November 4, 1991
North Shore Arts Commission (The)	December 12, 1991
Northwest Territories, Department of Culture and Communications, Prince of Wales Northern Heritage Centre	November 15, 1991
Nova Scotia – Department of Education	December 19, 1991
Nova Scotia – Department of Tourism and Culture	November 15, 1991
<i>Nouvelle-Écosse – Conseil culturel acadien</i>	November 12, 1991
Ontario Association of Art Galleries	January 10, 1992
Ontario Museum Association	December 9, 1991
Ontario Place Corporation	October 30, 1991
Open Learning Agency	November 15, 1991
Organization of Saskatchewan Arts Councils	November 18, 1991
Palmer, Don	November 28, 1991
Parks and Recreation, Cornwall	November 22, 1991
Parohl, Nadine	December 2, 1991
Platt, Sandra	November 14, 1991
Professional Art Dealers Association of Canada Inc.	November 15, 1991
Professional Association of Canadian Theatres	November 1, 1991
Quinn, Norma	January 16, 1992
Red Deer & District Museum Society	December 18, 1991
Red Deer and District Museum and Archives	December 13, 1991
Regina Urological Group	January 15, 1992
<i>Regroupement des professionnels de la danse du Québec</i>	November 28, 1991
Rickwood, Derek	November 8, 1991
Royal Botanical Gardens	October 23, 1991
Rutledge, Susan	October 31, 1991



Saskatchewan Arts Alliance	January 27, 1992
Saskatchewan Arts Board	November 19, 1991
Saskatchewan Communications Network	November 8, 1991
Saskatchewan History and Folklore Society Inc.	November 14, 1991
Saskatchewan Writers Guild	January 16, 1992
Schumiatcher Alberts – Barristers & Solicitors	February 3, 1992
Sirén, Valerie	November 5, 1991
Spicer, Ruth	October 15, 1991
Sports Federation	December 10, 1991
St. Albert (Alberta) City of; Cultural Services	November 7, 1991
Statistics Canada	December 19, 1991
Strathcona County	November 28, 1991
Surrey Museum (District of Surrey, B.C.)	October 28, 1991
Swift Current National Exhibition Centre	November 15, 1991
Symphony New Brunswick Inc.	February 3, 1992
Telecommunications Workers Union	November 18, 1991
Theatre New Brunswick	December 23, 1991
Toronto Arts Council	November 6, 1991
Turner, Irene F.	January 10, 1992
TV Ontario	December 20, 1991
University of Calgary	November 25, 1991
University of Victoria	January 28, 1991
Vancouver Foundation	December 12, 1991
Western Canada Theatre Company	November 19, 1991
Young, Heather	November 13, 1991
Youtheatre Inc.	December 10, 1991



## Request for Government Response

Your Committee requests that the Government respond to this report in accordance with Standing Order 109.

A copy of the relevant Minutes of Proceedings and Evidence (*Issues Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 which includes this report of the Standing Committee on Communications and Culture, which includes this report*) is tabled.

Respectfully submitted,

Bud Bird, M.P.  
Chairman







## Minutes of Proceedings

MONDAY, JANUARY 27, 1992

(46)

[Text]

The Standing Committee on Communications and Culture met *in camera* at 10:31 o'clock a.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin.

*Other Member present:* Simon de Jong.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux, John Thera and Mollie Dunsmuir, Research Officers.

*Witnesses: From the Department of Communications:* Eileen Sarhar, Acting Assistant Deputy Minister, Policy Management; Philip Palmer, General Counsel.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 1:04 o'clock p.m., the Committee adjourned to the call of the Chair.

MONDAY, JANUARY 27, 1992

(47)

The Standing Committee on Communications and Culture met *in camera* at 2:18 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin.

*Other Member present:* Simon de Jong.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

*Witnesses: From the Department of Communications:* Eileen Sarhar, Acting Assistant Deputy Minister, Policy Management; Philip Palmer, General Counsel.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.



The Committee proceeded to consider the Draft Report.

On the motion of Sheila Finestone, it was agreed,—That this Committee retain the services of Eunice Thorne as English language revisor, effective January 27, 1992, to assist in the production of the report on the study of the implications of communications and culture for Canadian unity and that she be paid at an hourly rate of \$55.00, not to exceed \$599.00 per working day in accordance with the contracting policy of the House of Commons; the total value of the contract, including expenses, must not exceed \$3,500.00 plus the goods and services tax, if applicable.

On the motion of Sheila Finestone, it was agreed,—That this Committee retain the services of Georges Royer as French language revisor, effective January 27, 1992, to assist in the production of the report on the study of the implications of communications and culture for Canadian unity and that he be paid at an hourly rate of \$55.00, not to exceed \$599.00 per working day in accordance with the contracting policy of the House of Commons; the total value of the contract, including expenses, must not exceed \$3,500.00 plus the goods and services tax, if applicable.

On the motion of Jean—Pierre Hogue, it was agreed,—That this Committee retain the services of Harry Hillman Chartrand as consultant, effective January 27, 1992, to assist in reviewing and providing written comments on the report concerning the implications of communications and culture for Canadian unity and that he be paid at a daily rate of \$599.00 per working day in accordance with the contracting policy of the House of Commons; the total value of the contract, including expenses, must not exceed \$3,000.00 plus the goods and services tax, if applicable.

On the motion of Jean—Pierre Hogue, it was agreed,—That this Committee retain the services of a public relations consultant, effective January 27, 1992, to be chosen by the Chairman after the usual consultations, to assist in the release of the report on the study of the implications of communications and culture for Canadian unity; the total value of the contract, including expenses, must not exceed \$4,000.00 plus the goods and services tax, if applicable.

At 5:20 o'clock p.m., the Committee adjourned to the call of the Chair.

MONDAY, JANUARY 27, 1992

(48)

The Standing Committee on Communications and Culture met *in camera* at 6:54 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean—Pierre Hogue, Lyle MacWilliam, Nicole Roy—Arcelin.

*Other Member present:* Simon de Jong.

*In attendance:* From the Research Branch of the Library of Parliament: René Lemieux and John Thera, Research Officers.



Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 9:25 o'clock p.m., the Committee adjourned to the call of the Chair.

TUESDAY, JANUARY 28, 1992  
(49)

The Standing Committee on Communications and Culture met *in camera* at 9:29 o'clock a.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin.

*Other Member present:* Simon de Jong.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 1:57 o'clock p.m., the Committee adjourned.

TUESDAY, JANUARY 28, 1992  
(50)

The Standing Committee on Communications and Culture met *in camera* at 2:15 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin.

*Other Member present:* Simon de Jong.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 5:24 o'clock p.m., the Committee adjourned to the call of the Chair.



TUESDAY, FEBRUARY 4, 1992

(51)

The Standing Committee on Communications and Culture met *in camera* at 4:40 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

Lyle MacWilliam moved,—That recommendation 1 be adopted as amended.

After debate, the question being put on motion, it was agreed to.

At 6:55 o'clock p.m., the Committee adjourned to the call of the Chair.

WEDNESDAY, FEBRUARY 5, 1992

(52)

The Standing Committee on Communications and Culture met *in camera* at 6:23 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Member present:* Shirley Maheu for Mary Clancy.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

On motion of Nicole Roy-Arcelin, it was agreed,—That the art work for the cover be adopted as amended.

On motion of Jean-Pierre Hogue, it was agreed,—That the draft brief to the Special Joint Committee on a Renewed Canada be adopted as amended, and that the Chairman be authorized to make the necessary editorial adjustments.



On motion of Geoff Scott, it was agreed,—That a delegation consisting of the Chair, Vice-Chairs and the communications critic from the New Democratic Party be authorized to make a presentation to the Special Joint Committee on a Renewed Canada.

At 9:49 o'clock p.m., the Committee adjourned to the call of the Chair.

TUESDAY, FEBRUARY 11, 1992

(53)

The Standing Committee on Communications and Culture met *in camera* at 3:50 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean-Pierre Hogue, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*Other Member present:* Simon de Jong.

*In attendance:* From the Research Branch of the Library of Parliament: René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

On motion of Mary Clancy, it was agreed,—That this Committee retain the services of Louis Majeau as French language reviser, effective February 18, 1992, to assist in the production of the report on the study of the implications of communications and culture for Canadian unity and that he be paid at an hourly rate of \$55.00, not to exceed \$599.00 per working day in accordance with the contracting policy of the House of Commons; the total value of the contract, including expenses, must not exceed \$3,500.00 plus the goods and services tax, if applicable.

At 6:00 o'clock p.m., the Committee adjourned to the call of the Chair.

WEDNESDAY, FEBRUARY 12, 1992

(54)

The Standing Committee on Communications and Culture met *in camera* at 3:57 o'clock p.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean-Pierre Hogue, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*Other Member present:* Simon de Jong.

*In attendance:* From the Research Branch of the Library of Parliament: John Thera, Research Officer.



Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 5:52 o'clock p.m., the Committee adjourned to the call of the Chair.

THURSDAY, FEBRUARY 13, 1992

(55)

The Standing Committee on Communications and Culture met *in camera* at 10:10 o'clock a.m. this day, in Room 536, Wellington Building, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Nicole Roy-Arcelin.

*In attendance: From the Research Branch of the Library of Parliament:* John Thera, Research Officer.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 12:09 o'clock p.m., the Committee adjourned to the call of the Chair.

TUESDAY, FEBRUARY 18, 1992

(56)

The Standing Committee on Communications and Culture met *in camera* at 3:55 o'clock p.m. this day, in Room 371 West Block, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Member present:* Joseph Volpe for Mary Clancy.

*Other Member present:* Simon de Jong.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 6:00 o'clock p.m., the Committee adjourned to the call of the Chair.



TUESDAY, FEBRUARY 25, 1992

(57)

The Standing Committee on Communications and Culture met *in camera* at 3:29 o'clock p.m. this day, in Room 209 West Block, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Lyle MacWilliam, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

At 4:29 o'clock p.m., the Committee adjourned to the call of the Chair.

TUESDAY, MARCH 10, 1992

(58)

The Standing Committee on Communications and Culture met *in camera* at 3:44 o'clock p.m. this day, in Room 308 West Block, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Sheila Finestone, Jean-Pierre Hogue, Nicole Roy-Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Members present:* Simon de Jong for Lyle MacWilliam; Mac Harb for Mary Clancy.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

It was agreed,—That the Recommendations numbered 1, 2, 4, 6, 7, 8, 9, 10 and 19, be adopted as amended.

At 5:50 o'clock p.m., the Committee adjourned to the call of the Chair.

WEDNESDAY, MARCH 11, 1992

(59)

The Standing Committee on Communications and Culture met *in camera* at 4:16 o'clock p.m. this day, in Room 308 West Block, the Chairman, Bud Bird, presiding.



*Members of the Committee present:* Bud Bird, Sheila Finestone, Nicole Roy—Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Members present:* Simon de Jong for Lyle MacWilliam, Jim Edwards for Jean—Pierre Hogue.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

It was agreed,—That the Recommendations numbered 3, 5, 10, 11, 12, 13, 14, 15 and 16, be adopted as amended.

At 6:30 o'clock p.m., the Committee adjourned to the call of the Chair.

WEDNESDAY, MARCH 18, 1992  
(61)

The Standing Committee on Communications and Culture met *in camera* at 3:45 o'clock p.m. this day, in Room 701, La Promenade, the Chairman, Bud Bird, presiding.

*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Jean—Pierre Hogue, Nicole Roy—Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Member present:* Simon de Jong for Lyle MacWilliam.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

*Witness:* Roger Tassé, Consultant.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The witness made a statement and answered questions.

On motion of Geoff Scott, it was agreed,—That the letter from Nicole Roy—Arcelin, M.P., dated March 17, 1992, be attached to Appendix B of the Report.

At 6:30 o'clock p.m., the Committee adjourned to the call of the Chair.

THURSDAY, MARCH 26, 1992  
(66)

The Standing Committee on Communications and Culture met *in camera* at 11:02 o'clock a.m. this day, in Room 701, La Promenade, the Chairman, Bud Bird, presiding.



*Members of the Committee present:* Bud Bird, Mary Clancy, Sheila Finestone, Nicole Roy—Arcelin, Geoff Scott (Hamilton—Wentworth).

*Acting Members present:* Dave Worthy for Chuck Cook; Brian O’Kurley for Jean—Pierre Hogue.

*In attendance: From the Research Branch of the Library of Parliament:* René Lemieux and John Thera, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its study of the implications of communications and culture for Canadian unity.

The Committee proceeded to consider the Draft Report.

It was agreed,—That, notwithstanding the Committee Resolutions of March 10 and 11, 1992, the Recommendations of the Draft Report be adopted as amended subject to editorial revision.

It was agreed,—That, subject to final review by Members and editorial revisions, the Draft Report, as amended, be adopted as the First Report of the Committee entitled: “Communications and Culture: The Ties that Bind”; and that the Chairman be authorized to present this Report to the House.

It was agreed,—That, pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to the First Report.

It was agreed,—That Committee Resolution dated February 11, 1992 regarding Louis Majeau be modified to read as follows: “It was agreed,—That this Committee retain the services of Louis Majeau as French language reviser, effective February 10, 1992, to assist in the production of the report on the study of the implications of communications and culture for Canadian unity and that he be paid at an hourly rate of \$55.00, not to exceed \$599.00 per working day in accordance with the contracting policy of the House of Commons; the total value of the contract, including expenses, must not exceed \$5,500.00 plus the goods and services tax, if applicable.”

At 1:10 o’clock p.m., the Committee adjourned to the call of the Chair.

Timothy Ross Wilson  
*Clerk of the Committee*