

# Statement

Secretary of  
State for  
External Affairs



# Déclaration

Secrétaire  
d'État aux  
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## "CANADA AND THE CONSTITUTIONAL CHALLENGE"

NOTES FOR A SPEECH

BY THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS,

THE RIGHT HONOURABLE JOE CLARK,

DURING A BRUNCH

AT THE RENFORD INN, EDMONTON

EDMONTON, ALBERTA

March 18, 1990.

It has become a truism to observe that we are in a period of remarkable change in the world.

It is a cliché; it is also an understatement.

Walls have tumbled - walls of the mind and real walls like the brutal barrier that once divided Berlin and is now mere rubble.

What we used to think was unchangeable has now changed - massively, irrevocably, and almost instantaneously. Change has become the only constant in world affairs.

And it is positive change:

- the collapse of communism and the triumphant assertion of democracy in Eastern Europe and the Soviet Union;
- the discrediting of command economies and the enthusiastic embrace of the market place there - and around the world;
- the disintegration of authoritarian regimes in Latin America and the affirmation of popular power in Chile, Argentina, Brazil, Nicaragua and elsewhere;
- the possibility of real reform in South Africa, where two remarkable leaders, one black and one white, are poised for dialogue to end apartheid;
- And, at long last, signs of hope even in Indochina that the conflict there, which has killed millions and maimed many millions more, may now be coming to an end.

Those changes didn't just "happen". They are the product of the human mind, of human will. Sometimes it is the will of the people; sometimes it is the genius of wise leadership. Often it is both.

The events of the past year confirm in graphic fashion that for proud people history is there to be made - actively - not simply to be endured - passively.

And those events demonstrate the abiding ability of peoples and leaders to rise to the moment, to expand their horizons, open their hearts, liberate their minds - and in so doing construct a bright, bold future.

Those are sudden, hopeful changes, as people put the past behind them, and reach towards the future.

In some cases, that process is characterized by a startling generosity. For example 19 days ago I had the privilege of meeting Nelson Mandela - and hearing him speak of his deep respect for President F.W. de Klerk. Mr. Mandela had just emerged from 27 years in a prison to which he was consigned by the political movement Mr. de Klerk leads. Yet so compelling is his focus on the future that his every reference is to the better society these two men, and the movements they lead, can build together now. I wonder how many of us, after 27 years, would show that generosity toward our jailer? Indeed, how many of us would show the courage Mr. de Klerk demonstrates in taking a party whose religion was apartheid and trying to make it an instrument of reform?

Now - think of Canada - rich, free, respected - by almost any standard the luckiest country in the world, possessing what other peoples only dream of. How are we marking this new era of generosity? How are we making history? Well, let us count the ways.

The Legislature of Alberta would not allow questions in French. The Legislature of Quebec would not allow signs in English. The city of Sault Ste Marie - Sault Ste Marie - declared itself unilingual English. Public meetings have been marked by organized clagues who shout the speaker down. Serious people feel threatened by the idea of any variation in the uniform of the RCMP.

I am not belittling any of this. I know and represent people who feel threatened by the French language, or by what they regard as an erosion of the traditions of the RCMP. I understand why the majority in Quebec is determined to protect its language and culture in an English speaking continent. I know why citizens get mad at politicians whom they think do not listen.

And I am not blaming someone else. Because this distemper in Canada is something we all must resolve together. It requires the kind of generosity and imagination we admire today in Czechoslovakia, or South Africa, or Nicaragua - the kind of generosity and imagination which we like to think characterize Canadians at our best.

We should remember, as Canadians, that there is nothing automatic about our good luck - nothing guaranteed. My family has worked hard in Alberta for three generations, and prospered here. But we did not put the oil in the ground, and no one here can guarantee that our children will inherit a kingdom so peaceable as that in which we grew up. The world has known other serene communities that came apart when anger and antagonism became gradually contagious.

I am not here to raise the question as to whether the Canadian community will continue. I want instead to argue that it should continue. What we have established in Canada is a community worth preserving - but that will require extra effort by all of us.

One of the realities of Canada is that our diverse population is spread across an immense country. We are not Japan, where one culture is crowded into a small geography. Indeed, our country started with a deliberate partnership between two very different cultures - one speaking English, one speaking French. We have always been conscious of the special claims of the aboriginal people, who were here before the Europeans. We built our country - particularly this part of it - by inviting people from different parts of the world to come here and grow together in freedom.

That is why settlers from Germany and the Ukraine and all over Europe were brought here by the Sifton policies starting a century ago. That is why pockets of blacks moved to freedom in Canada, either on the underground railway, or in the small migrations to little communities like Wildwood. That is why Chinese began to move to Western Canada in 1858 and then again in the 1880s. That is why the Sikh community established itself in British Columbia in 1904. There is nothing new about the idea of drawing different cultures together in Canada. That is the way we became a country.

No one would pretend that the process was free of tension or prejudice. Mr. Diefenbaker was our first and only Prime Minister whose surname was neither the traditional English or French. And I remember him saying how much easier it would have been for him had he used his mother's surname, which was Bannerman, rather than his father's Diefenbaker.

Indeed, as a partisan Progressive Conservative, interested in the issues of my country, I remember that, before Mr. Diefenbaker won the election in 1957, the Canadian tradition did not allow women to serve in the Cabinet of Canada; the Canadian tradition did not allow Canadians of Ukrainian origin to serve in that Cabinet; Canadian law did not allow Canadian Indians to vote, let alone sit in Parliament.

That was thirty-three years ago - before Mr. Diefenbaker brought our tradition up-to-date by naming Ellen Fairclough and Michael Starr as Ministers, and by extending to the people we call our "first citizens" the most elemental right of citizenship - the vote. There was some grumbling about that, as there is with any change, but unquestionably Mr. Diefenbaker was acting in that spirit of generosity which has allowed us to become a large community, and not a small one.

This Canadian combination of cultural diversity and physical distance has created one of the basic policy questions in the country. How do we simultaneously achieve national unity and cultural and regional identity?

I want to speak a little about that today. I have two points to make. The first is that we know what won't work. It won't work to hunker down in our region or our language or our culture and shut out other Canadians. If that happens - in Alberta, or in Quebec, or in any of our communities - we will gradually disintegrate as a nation.

We can never forget that the existence of this country was not a given. That our history has been a continuous act of affirmation. That the building of Canada was a task accomplished against odds - geographic, economic, demographic. That if we do not continue to grow, we decay. And that tending this community that is Canada requires care. It will not tolerate abandon. Nor will it long tolerate intolerance. How ironic it would be, how wasteful, if, at a time when the rest of the world was thrusting forward with vision and imagination, the people of this charmed country would turn away from our strength and our future.

Canada won't work if we live in two solitudes - or ten - or a hundred. The interests of each community, each province, each region of this land only suffer if the interests of the others are not recognized and accommodated. Canada is constructed on compromise. Compromise not in the sense of second-rate or second-best. But compromise which sees advantage in balancing interests, balancing views, balancing powers and responsibilities. For Canada, compromise is not a dirty word. It is a fundamental requirement, a virtue of nationhood and nation building. It has been so throughout our history. It must continue to be so in the future.

No one can claim that compromise is easy. It is always easier to impose views or to ignore. It is always easier to unite against something than to agree on a way to work together.

But no society can grow if its primary activity is denial - denial of the interests of others, denial of real opportunities for change, denial of the lessons of history.

So we know what won't work. But we also know what will work. What will work is the atmosphere which existed in those magic moments at Meech Lake in April 1987 and the meeting that followed on June 3rd. We tend to forget the elation of those moments, an elation felt from sea to sea across this land. It was an elation born out of accomplishment, a triumphant recognition that ten Premiers and one Prime Minister had accomplished what had eluded Canadian leaders for some one hundred and twenty years: a constitutional agreement freely and willingly embraced by every elected leader in the land.

Premier Peterson called it "a great day for Canada". Premier Bourassa declared with uncharacteristic emotion that "It is with great pride as a Quebecer and as a Canadian that I am here today to express my deep satisfaction with the re-integration of Quebec within the Canadian Constitution". Premier Getty praised the Accord saying that "Albertans have felt, like most Canadians, that Canada has been incomplete without Quebec's participation, and since April 1982 our Constitution has been flawed. We have now corrected that." Premier Devine defined the moment as "magic". He said "It was nation building." Ordinary people of goodwill with deep affection for their community and their country said, "It's good for us to do this."

The Calgary Herald headline read "Equal Partners at Last". The Globe & Mail headline read "The Welcome Pact". And Le Devoir declared "Canada has said yes to Quebec".

Those were heady days and optimistic times. They were full with pride. A pride born of consensus, of compromise. A pride that Canada was whole again.

How that elation has evaporated. How that euphoria has been forgotten. Two years ago, Meech Lake was a beacon for the future. Today, it is a lightning rod for every discontent in the land.

Nobody claimed - even in 1987 - that the Meech Lake Accord was perfect. Anymore than the British North America Act of 1867 was perfect. Or the Statute of Westminster of 1931. Or the Constitution Act of 1982. Constitutional reform and development will not stop with Meech Lake. Indeed, constitutional development will only proceed if Meech Lake is approved. Only then can we turn to other issues crucial to our future - Senate reform, aboriginal rights, the status of the Territories and enhancing the role of linguistic and cultural minorities in Canada.

In attacking Meech Lake, people seem to forget what went before. What went before was the election of a government in Quebec in 1976 that was dedicated to the disintegration of this country. What happened before was a referendum in that province in 1980 which said yes to Canada. What happened before was a promise to Quebec that if it stayed within the union, federalism would be renewed and the interests of Quebec - and the rest of the provinces - would be accommodated in a spirit of compromise and consensus.

What also happened was that in 1982 a Constitution was patriated and a Charter of Rights adopted without the agreement of Quebec. And every political party in Quebec said they would not accept that Constitution and that Quebec would cease to participate in the constitutional development of Canada until its legitimate interests were recognized.

That is why in August, 1986, the Premiers met in Edmonton with Premier Getty in the Chair and agreed unanimously that making the Canadian constitutional family whole again was the priority of every Premier and every province. The Premiers recognized at that historic meeting that other issues would not be resolved until the family was whole.

That meeting in Edmonton also agreed with Premier Bourassa that five issues should be dealt with in the course of completing the Constitution. Those issues constituted the shortest list and the most moderate requirements ever proposed by a Premier of Quebec. The Meech Lake Accord dealt with those issues after months of negotiation and give and take. It was an honourable and reasonable compromise.

Critics of Meech Lake forget history. They forget the very real threat to the fabric of Canada which existed in the 1970s. They forget the War Measures Act, the bombs, the kidnappings, the soldiers in the street. They forget the 20 years of constitutional impasse and frustrating failure. They forget that the Canadian Constitution - like any healthy constitution - grows and evolves. They forget that Meech Lake is not the last word but the first step. They forget that the future of this country will be frozen in failure if all the members of this federation do not share a common understanding of the Constitution of the country.

It is natural that the constitutional priorities of various parts of the country should differ. They differ for reasons of history, of culture, of size and of economic development. Indeed, the purpose of the Constitution is to balance those priorities, reflect those various interests and to do so in a way which allows future evolution and future improvement.

Seen in this light, Meech Lake did not simply correct a glaring gap in the existing Constitution. It was not a constitutional package for Quebec. It was a constitutional package for the country. A constitutional package which, through embracing Quebec at last, allows the country as a whole to embrace the future and to finally shed the fundamental dissension and discord of the past.

Let's look at Senate reform in that context. Senate reform is politically impossible in the absence of Quebec's participation in the Constitution. It may also be legally impossible since Quebec's senatorial rights are embedded in the British North America Act. Meech Lake lets us move on to Senate reform. It also lets us move on to better Senate reform. Under the Constitution at present the Senate can be changed over the heads of Alberta or Atlantic Canada. The new constitutional package, with its requirement for consensus, ensures that no one province's interests will be ignored. Some have claimed that the unanimity requirement will prevent Senate reform forever. But the provinces that might exercise a veto on Senate reform already have it. If there is no progress on Meech Lake, they will show no interest in Senate reform. There will be no change. But if we establish an atmosphere of reform, rather than an atmosphere of rigidity, real change is possible.

So Meech Lake is not a barrier to change. It is the gateway to the future. It liberates the country by making it whole and by equipping it to go on and make more improvements.

The Premiers, pundits and prima donnas who would toss out this accomplishment have some fundamental questions to answer. How would they modify the Accord and still retain the consensus which is the essential purpose of a constitution? After all the promises we have made, why should Quebec trust us again if we renege on this deal as governments have reneged on promises in the past? What progress on Senate reform, on the status of the Territories, on aboriginal rights, on the rights of other minorities, on fisheries would be possible if we reject the very constitutional prerequisite for moving forward on these vital issues? What possible defence could be offered for snatching defeat from the jaws of victory and retreating to a small Canada, where nothing would be agreed.

Canada is more than a country. It is a concept. That concept is unique, as is the reality we have constructed since Confederation. It is a concept and a reality which say that different cultures, different regions and different interests can grow together if compromise and consensus is the code of conduct. It is a concept which says they can more than co-exist; they can thrive and prosper in community with diversity.

Around the world, the unique concept that is Canada is admired without reservation or caveat. As the countries of Eastern Europe make the bold leap to democracy and the free market, they look to us for more than aid. They look to us as an ideal. They look to us for advice. They send their advisors and politicians to learn how we have done it so well.

And the countries of Western Europe, whose long history is littered with bloodshed and conflict - conflict in which Canadians have sacrificed thousands of lives this century - are embracing federalism for the first time. They have learned the lessons of selfish nationalism and the futile search for unilateral advantage. They are coming together in their own confederation, an old continent which is learning new ways, ways which have been a source of Canadian pride since Confederation.

I do not believe it is un-Canadian to be proud; to state that what we have done here has been done nowhere else; to believe that our accomplishment is one of excellence; to feel that we have a moral obligation to preserve what we have built - and to continue building.