
CPA Activities: The Canadian Scene

31st CPA Regional Conference

The thirty-first Conference of the Canadian Region of the Commonwealth Parliamentary Association was held in Victoria, British Columbia from August 10-14, 1991. More than one hundred federal, provincial and territorial legislators and officials from all Canadian jurisdictions were in attendance.

The opening session on the constitution was chaired by Speaker Edward Clark of Prince Edward Island and featured presentations by Stan Schumacher (MLA Alberta) and Bill Domm of the House of Commons. Mr. Domm outlined some of the principles underlying the Conservative government's approach to constitutional reform. Mr. Schumacher described the work of the Alberta Select Committee on the Constitution. The general discussion that followed their presentations was passionate and thought-provoking. It also indicated that some of the obstacles that led to the demise of the Meech Lake Accord remain to be resolved i.e. what is the proper consultative procedure.

The session on the Charter and Electoral law chaired by Speaker David Carter of Alberta also stimulated considerable discussion particularly the presentation by Bud Smith (MLA, British Columbia) who argued that the adoption of the Charter in 1982 imposed French and American elements of government and would lead, inevitably to a republican form of government in

Canada. He suggested the increased power of judges would be met with increased powers for the legislature in the judicial selection and the adoption of other checks and balances usually associated with the United States. The other panelist, John Britton (MLA, Saskatchewan), focused on the role of the courts in first overturning and then uphold Saskatchewan's Electoral boundaries act (see article elsewhere in this issue).

The session on "Parliament and the Courts - Which is the highest Court in the Land" was chaired by Senator William Doody and featured a guest speaker, William McIntyre, former Justice of the



Supreme Court. He argued that despite the adoption of the Charter, parliamentary sovereignty has not been put aside. The courts and the legislatures have always been involved in the policy process and while a new balance may be required nothing fundamental has changed.

Another non-parliamentary guest Speaker was, Ted Hughes, Commissioner of Conflict of Interest in British Columbia. He described the British Columbia legislation in this area as well as his own

understanding of the principles underlying the concept of conflict of interest. Among other things he argued that members who enter politics ought to understand that their legislative remuneration should be their only remuneration while they are in office. Al Mosher (MHA, Nova Scotia) provided information regarding conflict of interest legislation in that province. He also raised the question of how far is too far and whether too many guidelines and complex legislation will only have the effect of discouraging qualified people from seeking office. Ernie Eves (MPP, Ontario) mentioned several specific cases of breaches of conflict of interest in Ontario. He also raised some questions about the administration and enforcement of guidelines. This session was chaired by Speaker Tom Lush of Newfoundland.

The panel on Native Rights, chaired by Speaker Denis Rocan of Manitoba, consisted of three northern legislators, Richard Nerysoo, Speaker of the North West Territories Legislative Assembly, Piers McDonald (MLA, Yukon) and Dan Lang, Leader of the Official Opposition in the Yukon. Mr. Nerysoo outlined the background and recent history of native claims in the NWT and suggested that in any process of negotiation all sides would have to compromise. Mr. McDonald called land claims a new social contract between aboriginal people and those who came later.

Mr. Lang cautioned about the many difficult issues to be resolved including the meaning of self government, the implications of transborder claims and the rights of non aboriginal living in these areas.

The conference ended on a lighter note with a debate chaired by Mark Rose (MLA, British Columbia). It featured, on one side, John MacKay (MLA, New Brunswick) and on the other side Senator Lorne Bonnell. The topic was the Teaching of

Politics with Mr. MacKay arguing that only politicians really understood and therefore were able to teach anything about politics. Senator Bonnell held that, in the final analysis, constituents were the best teachers.

During the final business session, Reports from CPA branches, Michel Bissonnet (MNA, Quebec) informed delegates that to mark the bicentennial of representative government in Upper and Lower

Canada, Ontario and Quebec had recently formed an inter-parliamentary group which would hold joint meetings of legislators from time to time to discuss matters of mutual interest. It is the second such regional forum for legislators, the four Atlantic provinces having decided to hold regular meetings of legislators several years ago. Other inter-parliamentary groups have met on an ad hoc basis over the years.●

