

Policy Dialogue

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IDEAS



PERSPECTIVE

ENGAGEMENT



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Director's Notes



SIPP is a non-profit, independent, non-partisan institute at the University of Regina committed to stimulating public policy debate and providing expertise, research and analysis on social, economic, fiscal, environmental and administrative issues related to public policy.

With the arrival of spring, the university community begins to wind down in expectation of the arrival of summer. SIPP, too, has begun to move into summer mode, and our events and publications are giving way to planning for 2006-07. We have done much to be proud of in 2005-06 and I am looking forward to another active year in 2006-07. Having just finished a highly successful conference on Aboriginal justice issues, I am particularly excited about our 2007 conference, "The *Constitution Act, 1982* and Canada's Continuing Constitutional Evolution", which will be held in honour of the 25th anniversary of the proclamation of the *Constitution Act, 1982*.

I also want to draw your attention to some changes in the SIPP Newsletter. The first thing you will notice is that we have given it a new name - Policy Dialogue. With this issue, we also begin a new focus on commentaries on current public policy issues, with contributions from our staff, our Fellows, and friends from across the country. We also intend to increase the frequency of the newsletter from twice a year to three times a year, so that we can provide you with more timely, thought-provoking comments on current public policy issues. We hope that you will enjoy this new format. Future editions will also include a "Letters" column, to give you a voice in our dialogue. I would be happy to hear from you either in response to what you read in this newsletter or in response to our change in format. Feel free to e-mail us with your thoughts at sipp@uregina.ca.

Thanks to all of you for your support of SIPP and have a most enjoyable summer!



Ian Peach
Director, SIPP

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Searching for Synergy in Social Policy

JUDITH MAXWELL

MOST SOCIAL PROBLEMS CAN'T BE SOLVED with one weapon. If our goal is to launch families on the road to sustainable self-reliance, money is not enough. They probably do need more money but they also need appropriate social services. The synergy between the two can be powerful.

We now have numerous rigorously controlled studies that show the importance of these services for the health and self-reliance of families with children. McMaster researchers found that a woman with young children suffering from depression could get off welfare and be self-reliant if she received treatment and her children were given regular access to recreation. Aboriginal Head Start programs have discovered that engaging young mothers in their child's child care program improved both parenting and work-skills, leading to higher chances of success for both parent and child. In the United States, a recent study offering treatment for mothers experiencing post-partum depression contributed enormously to the development of the infant. Richard Tremblay has demonstrated that interventions for parents and children where 5 and 6 year olds experience anger management problems have a life-altering impact on the children – lower rates of teen delinquency and much higher rates of high school completion.

The evidence in all four cases is crystal clear. Each study was designed so that half the group identified received the service and half were followed as a control to demonstrate the cost of inaction. Yet governments are *not* acting. Think of the money that would be saved in the long-term if government adopted the lessons of these studies – not to mention future gains in productivity.

When the National Child Benefit system was developed in the mid-1990s, the synergy between income supports and services was acknowledged. The responsibility was divided among governments. The federal government would provide the income through the Canada Child Tax Credit and the provinces would provide services, which would be enhanced through the money they saved as a consequence of the increased federal investment. The Tax Credit has increased steadily over the years and could reach its potential, if the increases continue. However, the provincial investments in services have been uneven and have not expanded to begin to meet the needs of Canadian families, though Quebec is ahead of them all in child care. In an ideal world, then, the next big step in supporting families with children would be to improve access and quality for social services that lead to self-reliance.

Now, with the federal government having introduced a new tax credit which will top up income support but cut back planned investments in child care services, we risk losing the limited synergy that exists. Even with the new credit, low and modest income families cannot afford to pay market rates of \$800 a month per child out of their meagre resources. Mental health and recreation are in the same category. The provinces, rich and poor, are unlikely to come up with the extra funding required to meet social service needs. I have no objection to enriching tax credits for families with children. But the money will be wasted if the relevant services to families continue to falter.

Judith Maxwell is a Research Fellow of the Canadian Policy Research Networks in Ottawa.



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We encourage your input

If you would like to comment on something you read in this newsletter or if you have something to say to the public policy community, send an email to our Letters Editor at sipp@uregina.ca.

The Role of Faith in Politics

JODI WHITE

POLITICS AND RELIGION ARE TWO TOPICS OFTEN thought to be too controversial for polite conversation. And yet, taken together, they form intrinsic parts of civic society. In glossing over them, we risk ignoring or simplifying some of the elements that contribute to how we define ourselves as Canadians. Moreover, turning away from opportunities to pursue constructive dialogue also risks creating a policy environment fraught with polarized views; where the “other” looms large in the face of misunderstanding and mistrust.

Some argue that, in the face of the public's perception of increasing religious extremism, there is a “politics of fear” that is shutting down public discourse and dialogue on issues that underpin Canada's social fabric.

Why are we so loath to talk about religion and faith in a public policy context?

Some argue that, in the face of the public's perception of increasing religious extremism, there is a “politics of fear” that is shutting down public discourse and dialogue on issues that underpin Canada's social fabric. While Canada is not experiencing the kind of religious tension being felt in other parts of the world (from religious intolerance and violence in the Middle East to religious division in the United States), a number of issues within our own borders – from the Ontario Government's rejection of faith-based arbitration as a tool for conflict-resolution to a federal government's decision on same-sex marriage – may have a significant impact on the social harmony Canadians take for granted.



Public discourse is an essential ingredient of sound policy-making. Discussions and decisions with regards to religious and cultural values are never simple and often divisive. While some argue strongly for freedom of religion, others stand firmly for freedom from religion. Humanists believe that Canada is a secular country whose laws, policies and politics allow no legitimate place for religion. Others make the point that our country's diverse, multicultural makeup suggest that complete secularism is neither possible nor preferable. Indeed, as a multicultural country, Canada has a long history of tolerating and accommodating difference – including religious difference. However, while we often speak of “shared Canadian values”, it seems clear that there are numerous interpretations of what is included in those values. In fact, diverging values may put to the test the extent to which we are willing to accommodate conflicting rights.

The role of government is to set some limits on human behaviour. It is where privately-held beliefs meet public social ethics – and where the individual meets the community – that most controversial issues related to religion arise. Some view moral education – that which relates to values and behaviour – as fundamental to citizenship; in that it guides citizens in making choices with respect to the “public good”. Much values-based behaviour is rooted in religious belief. And, while this may not in and of itself pose any difficulties, it may when it starts to butt up against what is considered the “common good”

(e.g. beliefs or behaviours that have an impact on gender equality or end and beginning of life issues).

Canada is often held up as a model of a successful social plurality. But it is important for us to reflect on whether we can afford to be complacent about the strength and durability of this model. Is “muddling through” a sufficient strategy to ensure that we will continue to enjoy the kind of society that is uniquely “Canadian”? Is it enough to rest on our historic laurels or are current pressures and challenges testing the limits of this model? If Canadian history has shown that pluralism and cohesion can co-exist, what policy choices need to be made to ensure that this tenuous but precious balance will continue?

The role of government is to set some limits on human behaviour. It is where publicly-held beliefs meet public social ethics - and where the individual meets the community - that most controversial issues related to religion arise.

Perhaps it is time to take a closer, more thoughtful look at the pressures we are facing: the impact of our changing demographics; the continuing rise of religious fundamentalism and the ongoing clash of cultures; the influence of our neighbour to the south and the impact of religion on American society and politics. And, for those who think we either can or should avoid this conversation, the horse galloped out of

FAITH AND POLITICS - CONT'D ON PAGE 5

that barn some time ago: we still have religion-based, publicly-funded schools in Canada; the Sikh members of the RCMP gained the right to alter the uniform so as to wear turbans; we have the recent decision to allow school students to wear the kirpan; and there remain differing views on the role of women within some religions which are probably contrary to the Charter of Rights and Freedoms, or most certainly

contrary to its spirit.

These issues deserve a frank, deliberate and constructive airing. In so doing, we will generate the kinds of discussions needed to help illuminate and break down barriers between “us/them” and, hopefully, bring to the attention of policy makers and leaders some real issues, concerns and options.

We will have made a start if we can begin to engage in a polite conversation.

We will have made a difference if we can move to meaningful dialogue.

Jodi White is President of the Public Policy Forum, a not-for profit, non-partisan organization aimed at improving the quality of government in Canada through better multi-sectoral dialogue.

Who Cares about the Family Farm?

ROSE OLFERT AND MURRAY FULTON

THE HISTORICAL IMPORTANCE OF THE FAMILY FARM IS UNDENIABLE and shows up in a myriad of ways – in the system of rural and urban communities that developed to serve the farm economy, in the public infrastructure designed to serve the farm population, in the origins of the University of Saskatchewan, and in the cultural fabric of our population; in many ways the family farm was the original *raison d'être* for the province. Yet this institution is in trouble. Market returns (revenues after government program payments and expenses are subtracted) for the farm sector are zero or negative. Most farm families exist on off-farm employment, other business ventures and/or savings.

The problem facing the family farm and agriculture is not insoluble. The market has a solution. Without further intervention it seems likely that the exodus from this sector will continue and perhaps even accelerate. A further decline in the farm population will have an impact on rural schools and hospitals – places where farm family members often find off-farm employment – further intensifying rural population decline. Farmers, farm household members and others working in rural services and businesses will find a place to live and work elsewhere – many outside the province. As for the land, it will either be absorbed by larger farms or it will lie idle.



So why the concern? From the perspective of farmers, the reason for concern is clear. The farm is their source of income and perhaps more importantly their retirement plan. Loss of the farm means a major adjustment, in many cases involving a move to another location (often



another province) at considerable cost, or the acquisition of new skills. It also means the loss of a lifestyle and the option of a future in an occupation they love.

From the perspective of the broader rural economy (including the province's secondary cities), a continued decline in the farm population means that the threshold size population required for service provision will be met in fewer and fewer communities. The result will be continued consolidation of already very limited public and private services.

From the perspective of society in general, all of the above costs must be tallied. But perhaps there is more. While the family farm has been very resilient over the years, it may be that we are reaching a tipping point – a point where, once gone, it will not return.

Does the loss of this institution matter? It matters if climate change creates a situation where we need people living and earning a living on the land to preserve this critical natural resource and to supply food and other agricultural products that will become increasingly scarce. It matters if the loss of this institution and the supporting rural infrastructure extinguishes the option to develop new industries and economic opportunities based on agro- and eco-tourism. It matters if food safety and security is jeopardized. It matters if society loses a valued part of its culture and heritage.

Who cares? If someone cares, this may be a good time to stand up and be counted.

Rose Olfert, Associate Director of SIPP, and Murray Fulton are professors of agricultural economics at the University of Saskatchewan.

Aboriginal Policy - Two Priorities

JOHN RICHARDS

FOR CENTURIES, WHITE SETTLERS ADOPTED A SENSE OF RACIAL superiority to Aboriginals. At some point in the 1970s – after Trudeau’s 1969 White Paper and before entrenchment of treaty rights in the 1982 constitution – Canadians repented. Since then, majority attitudes have been suffused with “white guilt.” Four decades after Trudeau’s White Paper a small Aboriginal elite now exists, and much of its discourse is angry. Relations between Aboriginals and non-Aboriginals have much in common with black-white relations in the U.S. In both cases, the sins of the past haunt the present, and in both cases, the combination of majority guilt and minority anger is not a basis for good policy.

In a lengthy open letter written during the election campaign to Dwight Dorey – at the time head of the Congress of Aboriginal Peoples – Stephen Harper laid out his intentions for Aboriginal policy. It was a potentially significant gesture, largely ignored by the media. “The fundamental obligation of a Conservative federal government,” he wrote, “would be to improve the living conditions and educational and economic opportunity of all Aboriginal Canadians including off-reserve, urban and non-status Indian and Métis.” The letter made the case for ambitious programs to improve education and employment outcomes for Aboriginals, wherever they are living.

Skeptics can argue that Harper was merely making an electoral appeal to Dorey’s supporters (non-status Aboriginals living off-reserve) and that he has no intention to make of Aboriginal concerns a “fundamental obligation.” The skeptics may be right; it is too soon to know. Whatever Harper’s government does or does not accomplish, the letter contains a good deal of common sense.

Under Paul Martin, federal Aboriginal policy hewed closely to the goals of the 600 band chiefs, as articulated by the Assembly of First Nations (AFN). For example, the first ministers and Aboriginal leaders met in Kelowna last November and promised that the Aboriginal high school completion rate would, by 2016, equal the rate for non-Aboriginals. A noble goal, but virtually all the promised new money went on-reserve: over \$1 billion on-reserve; \$150 million off-reserve.

This overwhelming on-reserve emphasis does not make sense. Of the one million Canadians who identified as Aboriginal in the 2001 Census, slightly over six in ten identified as Indian – as opposed to Métis or Inuit – but of this six, half lived off-reserve. Once we include Métis and Inuit, seven in ten Aboriginals lived off-reserve; five in ten in a city. Despite facing elements of racial prejudice, off-reserve

Aboriginals have significantly higher employment rates, incomes and education levels than do those on-reserve. The future for most – not all, but most – Aboriginals is not on a reserve; as is the case for other Canadians, their future is in Canadian towns and cities, as neighbours to non-Aboriginals.

I see two fundamental priorities that need to be established if Aboriginal policy is to work. Harper’s letter raises the first of these, namely accountability.

Aboriginals are receiving services from three orders of governments – federal, provincial and band-based. The first priority is that all three orders must become more accountable for results.

Consider K-12 schooling. If the next generation of Aboriginals is to succeed, a precondition is better education. At present, neither band councils, the provinces, nor Ottawa are – with a few honourable exceptions – measuring school performance. In repeated reports, the Auditor General has criticized the Department of Indian Affairs for transferring money to bands for schools while making no effort to monitor school performance. Which, in general, is not good enough. According to the Census, among young Canadians ages 15-24 by far the lowest high-school completion rate exists among those on-reserve. This is not to let the provinces off the hook. Off-reserve, Aboriginal high school completion results are better but far from adequate.

In his final years as Prime Minister, Jean Chrétien moved away from the agenda of the Royal Commission on Aboriginal Peoples (RCAP). Among his final projects was the First Nations Governance Act, legislation intended to improve accountability of band councils to band members and to Ottawa. The chiefs opposed it as a violation of the Aboriginal right to self-government. Under Martin, the policy pendulum swung toward accommodation of the AFN. One of his first decisions as Prime Minister was to withdraw Chrétien’s draft legislation. Martin then initiated high-profile negotiations with Aboriginal organizations, negotiations that culminated in the First Ministers Meeting in Kelowna last November.

While many – Aboriginal and non-Aboriginal – participated in the negotiations leading to Kelowna and the meeting proposed some important targets, it lacked the “teeth” to provide reasonable expectation that the targets will be hit. To have any chance of meeting the high school completion target, for example, will require more accountable and more professionally run on-reserve school boards, and more accountability among municipal school boards for the fate of Aboriginal children in provincially run schools.

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Justice, Respect & Capacity

LORENA FONTAINE AND JOHN D. WHYTE

REGINA RECENTLY HOSTED A CONFERENCE “MOVING TOWARDS Justice” that was attended by a myriad of presenters and participants from Canada, the United States and New Zealand. The premise of the conference was that justice in communities depends on justice for communities. It is not denied that the rates of offending and victimization in Aboriginal communities significantly exceed rates in non-Aboriginal communities. This is also true for rates of other indicators of social ill-health, such as educational achievement, employment and disease. These social phenomena are connected to each other and, in turn, reflect the social harm of colonization.

We are, of course, past the brutal practices of cultural delegitimation, political disempowerment and exclusion that marked much of our dealings with indigenous peoples in the century following European settlement. But these practices destroy and one cannot expect that social well-being to spring from the soil of oppression just because the climate has grown a little more benign. The question is what needs to happen to allow the steps of social development that will lead to order, health and well-being.

The question posed by the conference is whether better social order, and hence better social health, will come about through reforms in the justice system – such developments, for instance, as Aboriginal police recruitment, corrections reforms, alternative measures, indigenous language courts, and so forth – or whether improvements in social order require more than improving the mechanisms of justice. Does it depend on a much higher level of First Nations and Métis governance over issues of justice and safety? Some at the conference argued that restoration to First Nations and Métis communities of responsibility for social needs and recognition of the authority to meet these needs is an essential step to producing community self-respect and, equally important, respect between Aboriginal and non-Aboriginal communities.

This issue was explored carefully and, as Judge Mary Ellen Turpel Lafonde pointed out, without anger, blaming or condemnation. Certainly, the presentation by Chief Justice Emeritus Robert Yazzie of Navajo Nation court system was unequivocal in presenting the view that America’s tribes required both law-making authority and their own courts to apply those laws if they were to maintain cultural integrity and acquire the capacity for economic and social development. To Yazzie, the Canadian debate seemed strangely anachronistic, especially in light of Canada’s renown



Chief Justice Emeritus Robert Yazzie, Navajo Nation, with Lorena Fontaine and Hon. Roy Romanow, “Moving Towards Justice” conference organizers.

as a nation that honours diversity.

John Borrows, a First Nations law professor from Victoria, while not directly confronting the question of governmental authority, spoke movingly of the depth of indigenous tradition and law with respect to social responsibility and accountability. He sketched a plan to have indigenous legal traditions become part and parcel of legal education in order both to preserve this strong culture and to give ground to mutual respect between Canada’s communities.

We are, of course, past the brutal practices of cultural delegitimation, political disempowerment and exclusion that marked much of our dealings with indigenous peoples in the century following European settlement.

In the conference’s opening address Brian Slattery, an Aboriginal rights scholar from York University, set out the current state of judicially recognized rights as they relate to Aboriginal governance.

On the one hand, he described Canadian courts as committed to recognizing that the meaning of both our historical commitments and constitutional guarantees is that Aboriginal communities are entitled to the capacity to preserve their integrity and promote their social development. On the other hand, he noted the courts’ caution over overstating self-government rights. Canadian courts, like Canadian politics, are committed to finding routes to social well-being – and see the ability to pursue this project as a constitutional promise – but are not sure just how this translates into reforming government.

Former premier Roy Romanow speaking at the conclusion of the conference noted the very positive spirit of the conference – a spirit of mutual respect and of unquestioned confidence in the capacity of all communities, certainly including First Nations and Métis communities, to understand and meet community needs. However, he reminded conference participants that our political capacity as a nation – as a Canadian people – was of paramount importance. He expressed reservations about anything as grandiose as an independent Aboriginal justice system.

JUSTICE, RESPECT & CAPACITY - CONT'D ON PAGE 11

Identifying Potential

Saskatchewan with an Aboriginal Majority

IAN PEACH & ELSA JOHNSTON

HOW LONG WILL IT TAKE TO CHANGE public perception of the Aboriginal population in Saskatchewan? Will further opportunities for education and entrepreneurship provide a solution for integrating Aboriginal peoples into the Saskatchewan economy? Is the integration of Aboriginal peoples into Saskatchewan society desirable, or is it assimilation by another name?

In a recent public lecture in Saskatoon on the future economy of Saskatchewan with an Aboriginal majority, speakers Dr. Eric Howe and Dr. Roger Maaka debated these issues. In addition, Ms. Patricia Prowse from the Saskatoon Public School Board presented an overview of the Saskatoon Public Schools' efforts to improve the quality of education for Aboriginal students in Saskatoon Public Schools through a variety of creative partnership initiatives with First Nations and Métis organizations.

Currently, Saskatchewan's Aboriginal population is disproportionately young with a high fertility rate, compared to a markedly old non-Aboriginal population with a low fertility rate. As such, Dr. Howe predicts that by 2050 Aboriginal peoples will form the majority of Saskatchewan's population.

This demographic shift produces many opportunities and challenges for the province. According to Dr. Howe, Aboriginal peoples have a higher rate of financial return to education than the rest of the population, as they are currently disadvantaged. The benefits of economic integration are obvious: education can provide a way out of poverty.

Thus, it is important to ask the question, "What is being done to improve the quality of education for Aboriginal students and, more

importantly, to improve their results?" This spring's Saskatchewan Budget has increased support for Aboriginal students through several initiatives, including in-come support, grants, scholar-ships and bursaries. The 2006 federal Budget included improving education outcomes as one of the objectives for the federal government's \$450 million increase in direct spending on programs and services for Aboriginal peoples across the country, along with improving water supplies and housing on reserve and improving the socio-economic conditions for Aboriginal women, children and families.

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But is providing access to education and support for entrepreneurship enough? According to Dr. Maaka, Aboriginal policy is currently problem focussed and does not address the potential of Aboriginal people. Policies must take into account factors of family and community, as well as education. They must also take into account the important factor that Aboriginal peoples are not immigrants; they are indigenous peoples who formed pre-contact political communities.

"Potential policy" - policies designed to assist Aboriginal communities and individuals to meet their potential - are



SIPP Public Lecture "Saskatchewan with an Aboriginal Majority: Education and Entrepreneurship". Guest speakers from left: Dr. Eric Howe, Professor of Economics at the University of Regina, Mr. Ian Peach, Director of SIPP, Ms. Patricia Prowse, Superintendent of Education with Saskatoon Public Schools and Dr. Roger Maaka, Head of the Native Studies Department at the University of Saskatchewan.

required. In this Saskatchewan can be a leader. Educational institutions created for Aboriginal people have already been formed. The Saskatchewan Indian Federated College (SIFC) was established in 1976, and became an official university in 2003: the First Nations University of Canada. As Ms. Prowse demonstrated in her presentation, in the Saskatoon Public School system, relationships and partnerships are being established between the city, schools and the Saskatoon Tribal Council First Nations, providing a model for others to follow.

Research and policy debate on assisting Aboriginal peoples in achieving their potential need to continue throughout the province and country, to provide opportunities for policy makers and the public to engage in developing effective policy responses. We look forward to SIPP continuing to serve the policy community and all citizens by contributing to this agenda.

Ian Peach is Director of the Saskatchewan Institute of Public Policy. Elsa Johnston is SIPP's Communications and Project Officer.

Staying in Saskatchewan: A Young Graduate's Perspective

SHARON CLAY

DESPITE SASKATCHEWAN'S MANY ADVANTAGES, SUCH AS AN affordable housing market and a booming economy, Saskatchewan graduates face numerous roadblocks and challenges. For one, students are graduating with less applicable work experience than twenty years before. With rising tuition fees students are required to work part time at jobs that do not help prepare them for a future career and do not provide them with the transferable skills necessary to enter the workforce in their chosen professions. Instead, the purpose of these jobs is to supplement students' incomes.

Many of today's graduates have not had a chance to participate in the new Arts Co-op through the University of Regina, which aims to give future graduates the work experience necessary to find a job after graduation. This is because many of the current students who could have benefited from such programs find themselves too far advanced in their studies or unable to afford the extra time in school and extra tuition costs. Thus, current graduates leave university with little practical experience.

This lack of practical experience makes it hard to find work. As one employer told me, finding a job is "the catch-22 for the inexperienced." Employers want someone with experience who can enter into a job and require little training or supervision. Yet, students cannot gain the required knowledge and skills without an employer who will provide that first opportunity for work experience. No matter how much motivation, enthusiasm and potential a young graduate shows, experience will always outweigh potential.

The question remains: how can young graduates get the experience employers are looking for, if no one will hire them? The new Gradworks Internship program that offers selected graduates internship positions with Saskatchewan Crown Corporations is a good start for graduates. However, space and jobs are limited: in this quarter alone only 25 positions are available for the thousands of graduating students. Additionally, this program pays very little and jobs are not guaranteed for more than a year. Thus, many of Saskatchewan's brightest graduates go elsewhere to pursue permanent entry-level job opportunities and better pay.

If Saskatchewan wants to be able to retain its youth, it has to offer what other provinces do not. Many of Saskatchewan's graduates indicate that if job opportunities are available they will stay. Since Saskatchewan's work force is aging, something needs to be done to train people to fill those vacant roles in the coming years. The Saskatchewan government has a



unique opportunity to create a mentorship program, in which a certain percentage of jobs are allotted to Saskatchewan graduates. These graduates could work with experienced staff in a number of different departments. This will not only help increase the learning curve but it will also ensure a strong foundation for the future work force of Saskatchewan.

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Right now this option for a mentorship program is not available to graduates, because 85% of the Saskatchewan Government's hiring is done internally. As a result, it is almost impossible for young graduates, such as myself, to compete against people with more experience and personal connections. If the provincial government and Saskatchewan businesses would create more opportunities for graduates, there is a higher likelihood that many will stay in the province.

Employers should consider hiring young graduates and giving them an opportunity to work, thereby giving graduates the practical experience required to build their careers in this province. What we lack in practical experience, we make up for in knowledge, motivation and enthusiasm. When I find an employer who gives me my first break, I will not disappoint. I will work day and night to ensure that I succeed and I know other graduates will do the same.

The province of Saskatchewan has the potential to be a great place to live and to work: the cost of living is competitive with other provinces and there is no need for an hour-long commute to work. Many Saskatchewan graduates, including myself, would love to remain in the province; however, until young graduates have more employment opportunities to stay after graduation, we will continue to leave at an alarming rate.

Sharon Clay completed her B.A. in Policial Science from the University of Regina in April 2006. She was a recent participant of the President's Leadership Program in 2006 and is currently looking for work in Saskatchewan.



Crossing the Floor: Two Opinions



David Emerson, the former Minister of Industry in the Liberal government led by Paul Martin, was re-elected as a Liberal in Vancouver-Kingsway in the general election on January 23, 2006. Two weeks later, on February 6th, he accepted the position of Minister of International Trade in the Conservative government led by Stephen Harper. Controversy over the prime ministers' decision to invite and Mr. Emerson's decision to accept the invitation to join the Harper government erupted in Vancouver-Kingsway and in the national media. Mr. Emerson's egregious example of crossing the floor (actually a pre-emptive act since at the time there was no House of Commons) raises the important question of what degree of autonomy members enjoy after their election. Two opinions follow.

DAVID E. SMITH

Floor crossing has a long, sometimes honourable but always contentious history. In Canada, the term describes the act of a legislative member who leaves his or her party to sit as an independent or with members of another party. Implicit in the phrase is the structuring influence of political parties: if MPs or MLAs were not organized in partisan battalions there would be no floor to cross.

When prime minister Sir John A. Macdonald complained of 'loose fish' MPs in his own party whose loyalty could not be trusted. Where party discipline is absent, measures to prevent defection make little sense. 'Crossing the floor,' with all that description implies about disloyalty and the betrayal of trust, is a phenomenon especially of Westminster-style parliamentary government. Where coalition government is the rule and proportional representation the form of electoral system, the sense of apostasy in the act is lost.

Floor crossing is tied to another historic preoccupation of Parliament: the independence of its members. This concern arose in late eighteenth century Britain out of a determination to excise the influence of the executive, identified with the presence of placemen in the lower house. Here in the world of Namier and Trollope's Pallisers emerged the ideal of members free to perform their duties without fear of interference. This is the rationale for the prohibition on recall of MPs, and on their disqualification if they sign any pledge or undated resignation that restricts their freedom of action as a member.

Does freedom mean that a member may abandon at will the party (and voters in a constituency who supported that party), and align him- or herself with another party? Should not this action require electoral sanction, that is, a political check on an otherwise autonomous decision? Should it not, perhaps, be subject to legal regulation or, even, ethical review? These questions indicate both the frustration the public experiences when confronted by an instance of floor crossing and the lack of clarity as to what is at issue in the controversy.

The Emerson affair, like the Stronach affair and the

Brison affair before it, is about abandoning party. Indeed, there is some irony in this regard: critics of parliamentary politics say party discipline is too strong. Yet, when an Emerson, a Stronach or a Brison turn their back on party, they are condemned by all but the partisans they have joined. Their action, it is said, is a betrayal of constituents. Even here there are problems in the logic of the indictment. MPs have never been delegates of their constituency. Except for what Canadians call 'free votes', they follow their party whip, a practice critics describe as docile but which may be seen as liberating when compared to the pressure members in the United States Congress experience from local, regional and national interests.

The Emerson affair, like the Stronach affair and the Brison affair before it, is about abandoning party. Indeed, there is some irony in this regard: critics of parliamentary politics say party discipline is too strong. Yet, when an Emerson, a Stronach or a Brison turn their back on party, they are condemned by all but the partisans they have joined. Their action, it is said, is a betrayal of constituents.

For those who condemn crossing the floor, what constitutional principle is at stake? If MPs are to be answerable for their actions, why in this matter and not others? What is the logic of the distinction?

That crossing the floor may appear to be self-serving or duplicitous, when compared to what the MP in question said during the previous election campaign, or tantamount to a betrayal of trust by the MP—all such complaints may have merit. Yet, there are instances, few admittedly, where on great issues of war or peace, the economy or social policy, MPs may feel the need to desert their party and stand alone, or with another party. In such instances are they to seek the prior approval of their constituents before they act?

Mr. Harper says he has the constitutional power to invite



whomever he wishes into his cabinet. This is true. Equally so, Mr. Harper and Mr. Emerson have to render political account for their actions. How soon, is the question. In the interval, the prime minister and the minister must rebut criticism of their actions in the House, before the media and to the satisfaction of all Canadians, not just those in Vancouver-Kingsway.

IAN PEACH

Dr. Smith is, of course, correct that “crossing the floor” of the House of Commons has a long history. Indeed, the very existence of parties, and party loyalty, is a recent addition to Parliamentary traditions. Nor can one argue that, on occasions when a Member of Parliament feels they must break with their party as an act of conscience, our Parliamentary traditions must protect their right to do so. The question that must be asked in a modern Parliamentary democracy, though, is what should the Member of Parliament do to make himself or herself accountable for this action.

Canada’s Parliamentary system has evolved in distinct ways over the course of its history. One of the distinctive features of Canadian politics is the prominent role that parties play in our politics and our government, and the loyalty to party positions (and, in government, Cabinet decisions) that has come to be expected of party members. As recent opposition from within the British Labour Party and Labour caucus to the British Cabinet’s policies in several areas (most notably the Iraq war and educational reforms) clearly demonstrates, the expectations of loyalty to party is far stronger in Canada than in Britain.

One of the implications of the strength of parties in Canada is that it is now impossible to determine on what basis the voters in a constituency vote for a particular candidate. One suspects that the strength of political parties’ “machines” and their national election campaigns encourage voters to vote for parties. Yet one cannot deny that at least

some voters are also attentive to the qualities of their local candidates and vote for the individual in whom they wish to vest their trust. This very uncertainty, however, leads people to want some sort of accountability process for MPs who cross the floor. This is especially true in cases such as David Emerson’s, in which a claim to a profound moral objection to the position of his party is difficult, if not completely impossible, to make out.

One of the implications of the strength of parties in Canada is that it is now impossible to determine on what basis the voters in a constituency vote for a particular candidate. One suspects that the strength of political parties’ “machines” and their national election campaigns encourage voters to vote for parties.

In a modern Parliamentary democracy, the suggestion that an MP who crosses the floor should be expected to stand for re-election in a by-election seems a reasonable one. This suggestion does not interfere with the MP’s independence; he or she still retains the right to cross the floor. This is important, as any more strict a rule would merely reinforce party discipline, which many Canadians believe is already too strong. On the other hand, it gives the MP’s constituents, to whom the MP should be accountable, an opportunity to indicate whether they support the party or the person, and for that matter whether they support the person’s act of crossing the floor. Not all disagreements with one’s party should trigger this sort of response. Crossing the floor, however, is a dramatic act, one for which an equally dramatic response may be warranted.

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Ian Peach is Director of the Saskatchewan Institute of Public Policy.

JUSTICE, RESPECT & CAPACITY - CONT'D FROM PAGE 7

Instead, he endorsed the spirit of respect and pluralism that was present and urged continuing adaptation – even radical adaptation – of existing justice structures in order to share authority, to reflect differing cultures in the composition and methods of justice institutions, to adopt the wisdom of indigenous peoples with respect to healing and community restoration and

to build a system that sheds every vestige of racial oppression.

Apart from the core debate over the extent to which we promote greater and personal security through broad based social and political development, the conference offered a profound sense of hope, respect and collective aspiration. It reminds us that commitment to justice and social development by the

joining of the Aboriginal and non-Aboriginal communities can innovate justice issues.

Lorena Fontaine and John Whyte were co-organizers of “Moving Towards Justice: Legal Traditions and Aboriginal and Canadian Justice”, held in Regina in 2006. Photo courtesy of Audio Visual Services University of Regina

Health Reform After Chaoulli

GREGORY P. MARCHILDON

LAST YEAR'S SUPREME COURT DECISION IN the *Chaoulli v. Quebec (Attorney General)* is redefining the debate concerning the future direction of health reform in Canada. Beneath the heated arguments on both sides is a fundamental divide. Should governments continue transforming the management and delivery of a broad range of public health care services? Or should provincial governments change their single-payer financing and payment systems for the narrower group of public health care services we call medicare? In particular, should they break with medicare's national dimensions as defined by the *Canada Health Act* and as historically administered and regulated by the provinces?

Unlike the broader range of public health care services including, for example, provincial drug plans, long-term care and home care, medicare is restricted to the hospital, diagnostic, physician and primary care services that are provided free at the point of delivery to all Canadians via 10 provincial and three territorial single-payer plans. While all public health care services account for 70% of total health expenditures, medicare accounts for just over 40% of total health expenditures – or about 60% of all public health care services. Only medicare services are subject to the five national principles of the *Canada Health Act* – universality, public administration, comprehensiveness, portability and accessibility.

To protect the integrity of medicare, and ensure that public resources are not diverted to private care, individual provinces either prohibit private insurance for such “medicare” services and/or discourage the siphoning off of scarce human resources to the private sector by not allowing physicians who have opted out of medicare to treat medicare patients. Six provinces, not

including Saskatchewan, actually prohibit private insurance while most discourage the siphoning off of scarce resources to the private sector by keeping the public and private sectors completely separate:  physicians who want to bill patients privately can do so but in most provinces they are not permitted to supplement their private income with medicare patients and public money.

Six provinces, not including Saskatchewan, actually prohibit private insurance while most discourage the siphoning off of scarce resources to the private sector by keeping the public and private sectors completely separate: physicians who want to bill patients privately can do so but in most provinces they are not permitted to supplement their private income with medicare patients and public money.

The *Chaoulli* decision openly questions aspects of this approach. An “opted-out” Montreal physician, Dr. Jacques Chaoulli is a long-time supporter of a parallel private tier. He along with his patient, Georges Zeliotas, sued the Quebec government for the time Zeliotas spent on a public waiting list for knee surgery. After losing their case in successive Quebec courts, Chaoulli and Zeliotas appealed to the Supreme Court of Canada. In a 4:3 split decision, the Supreme Court allowed the appeal, deciding that the Quebec government's ban on private health insurance for medicare services was contrary to the protection of the right to life and personal security under the Quebec Charter of Human Rights and Freedoms in a situation where the province's quality and timeliness of

medicare services was unreasonable.

In February, in response to the decision, the Quebec government changed its law to allow the purchase of private health insurance for elective hip, knee and cataract surgeries. Moreover, if Quebec residents wait longer than six months for their surgery they will be sent for immediate treatment at a public facility in another part of the province, and if they wait nine months they can obtain treatment outside the province *or* at a private clinic within the province, all at the government's expense. Except for these three types of elective surgery, the Quebec government maintains its prohibition on private insurance for all other medicare services, and continues to prevent “opted-out” physicians from treating medicare patients.

Always critical of what he has called the “constraints” of the *Canada Health Act*, Alberta Premier Ralph Klein viewed the *Chaoulli* decision as an opportunity to introduce some private-pay elements into the public system. In March, the Klein government released its 10-point strategic health plan, with a ninth point stating that patients will be permitted to pay to obtain better access and more choice “while protecting the public system.” Asserting that the Alberta “market” is insufficient to support a private-pay (non-medicare) practice, the report suggests changing the rules so that physicians can work both sides of the public-private street. Shopped around to Alberta residents as part of a “consultation”, this ninth point has so far drawn a mainly negative response from the general public as well as some First Ministers, including Prime Minister Stephen Harper. While embracing the Quebec response to the *Chaoulli* decision, Harper has tried to distance his government from the Alberta plan. 

Nonetheless, I would argue that medicare is being challenged on three fronts, the first of which is legal in nature. Despite Harper's statements during the election campaign and since that he will enforce the funding conditions of the *Canada Health Act*, including the universality condition requiring that every Canadian obtain medicare services on uniform terms and conditions, he has endorsed a regime that allows preferential access based on ability to pay for cataract surgery as well as hip and knee replacements. Though elective in nature, these surgeries had previously been treated as medicare services. Although this legal exception currently only applies in Quebec, Harper will hardly be prepared to enforce the *Canada Health Act* against any other province that also makes an exception for these types of surgeries. In effect, the Quebec-Ottawa accord on *Chaoulli* is a trigger that allows all provinces to de-list this class of elective surgery.

Despite Harper's statements during the election campaign and since that he will enforce the funding conditions of the Canada Health Act, including the universality condition requiring that every Canadian obtain medicare services on uniform terms and conditions, he has endorsed a regime that allows preferential access based on ability to pay for cataract surgery as well as hip and knee replacements.

The second front involves the broad political challenge that has come in the wake of *Chaoulli*. Previous to this decision, there was little concern about the single-payer principle and its application by individual provinces and

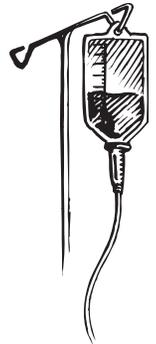
territories. The federal Royal Commission chaired by Roy Romanow concluded that the single-payer dimension of Canadian medicare was one of its greatest strengths based upon its proven administrative efficiencies. At the same time, and only after toying with alternatives in a series of interim reports, the standing Senate Committee, chaired by Michael Kirby, ended up supporting single-payer. Disheartened by both reports, the critics of single-payer, always a tiny minority in Canada, have been given a new lease on life with the *Chaoulli* decision. Since the decision, they have been aggressively marketing two options: the first would allow a parallel tier of private insurance and private care; and the second would completely scrap universal medicare in favour of a multi-payer, private insurance system. In fact, the Canadian Medical Association may soon elect as president, Dr. Brian Day, a long-time opponent of single-payer. His election would have been unimaginable before *Chaoulli*.

The third, more silent and potentially more lethal challenge to medicare is the extent to which *Chaoulli* is forcing provinces and territories to reprioritize their respective health reform agendas. Prior to the decision, I would argue that there was a broad national consensus on health reform that included: improving the coordination and integration of health services (achieved through regionalization in most provinces); instituting team-based primary health care; extending home care services; and improving wait list management. While there was disagreement on the role of private-for-profit delivery (as opposed to private not-for-profit and public delivery), all jurisdictions were devoting enormous resources to this consistent reform agenda.

In order to avoid litigation, provincial governments are likely to

emphasize wait times for a certain group of elective procedures rather than the more fundamental changes required to improve quality and timely access to primary health care, mental health care, home care, illness prevention and public health measures.

The third, more silent and potentially more lethal challenge to medicare is the extent to which Chaoulli is forcing provinces and territories to reprioritize their respective health reform agendas.



These and other more basic health services are far more critical to improving the health status of Canadians (and keeping health care costs down) than expensive and sophisticated hip and knee replacements. If government reaction to *Chaoulli* results in a major shift from real health reform to a narrower agenda that focuses on waiting times for a few types of elective surgery, this can only end up undermining the more transformational agenda in the long run.

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Rebalancing the Federation

JIM MARSHALL

THE NEW CONSERVATIVE GOVERNMENT IN Ottawa has promised to “address the issue of fiscal imbalance in a permanent fashion”¹, noting that, while the federal government has “amassed enormous surpluses”, many provinces have struggled to maintain important programming.

This pledge has re-opened the issue of “fiscal balance” within the federation and has inspired some proposals for change, including one from the Canadian Council of Chief Executives (CCCE) for the elimination of the Goods and Services Tax, abandoning the sales tax base to the provinces in exchange for dropping the current federal transfers in support of health, education and social services.² Certainly, any proposal is worthy of some consideration and a thorough examination of several options will assist in finding a permanent solution to this issue, but it will be important in considering these options that the purposes of financial arrangements among the orders of government be well-established and well-understood. There are at least three reasons the federal and provincial governments have maintained fiscal transfers in the past: correcting for externalities, achieving horizontal equity among provinces and achieving vertical equity between orders of government.³

Correcting for Externalities

Provincial government programs are primarily designed to benefit residents within the province but many yield either direct or indirect benefits, sometimes called “externalities”, to Canadians outside their borders. The classic example is in the benefits of education programs (a responsibility of the provinces) flowing to other parts of the country. This occurs either through

the migration of workers after they complete their education or, indirectly, through the transfer of the products of the educated minds to other Canadians.

*There are at least three reasons the federal and provincial governments have maintained fiscal transfers in the past: correcting for externalities, achieving horizontal equity among provinces and achieving vertical equity between orders of government.*³

In such cases, the greater interests of the country are served by provincial programming efforts in excess of the level that would be of benefit to the province alone. As a spur to greater programming, the federal government provides funding to the provinces, thereby encouraging them to pursue higher level objectives, beyond their own legitimate but limited self-interest.

Education is a well-known example, but it is by no means the only case for such incentives as similar arguments could be made for any number of provincial activities, including transportation infrastructure, environmental regulation, research and development support, health care (especially public health and research and training), social programming and many more.

Traditionally, these incentives to boost programming have been delivered in the form of conditional, or cost-sharing, grants from the federal government to provinces but have also been in the form of unconditional, or block-funding, arrangements intended to provide an enhanced revenue base to support a greater level of activity in provincial government programming

than would be otherwise supported by provincial taxpayers.

Achieving Horizontal Equity among Provinces

Canada is geographically diverse, consisting of regions with widely disparate endowments. This is reflected in disparate capacities among the provinces to raise funds through taxation. Not every province has the resource bases of Alberta and Saskatchewan or the population and manufacturing base of Ontario from which to draw revenues to support important programming objectives.

Left unattended, such disparities in “Fiscal Capacity”, would lead to widely disparate tax levels and/or public services among provinces, possibly to the extent of undermining the “nationality” of the country. Maintaining a high degree of horizontal equity in the fiscal capacity of provinces is considered so important as to be enshrined in the Constitution by way of a commitment to the principle of equalization to allow provinces to maintain “reasonably comparable levels of public services at reasonably comparable levels of taxation”.⁴

Left unattended, such disparities in “Fiscal Capacity”, would lead to widely disparate tax levels and/or public services among provinces, possibly to the extent of undermining the “nationality” of the country.

While this objective has been served through the federal Equalization program in the past, there have also been efforts to “equalize” provincial access to tax revenues through federal

regional development initiatives and other regionally focussed federal fiscal initiatives. Most of these other approaches have met with only limited success.

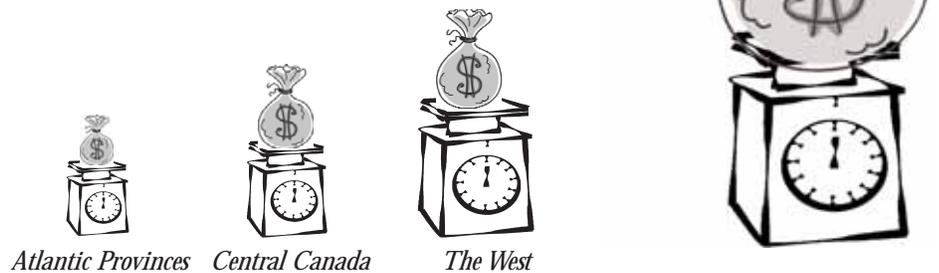
Achieving Vertical Equity between Orders of Government

The Constitution spells out distinct responsibilities for the federal and provincial governments and specifies their respective taxing authority.

In the latter case, the federal government has unlimited taxing authority while the provinces are limited to the use of “direct taxes” on individuals, with the exception that their authority also extends to “indirect taxes” on natural resources.⁵

The unrestricted access of the federal government to all forms of taxation is presumed to provide Ottawa with a greater fiscal capacity than is available to the provinces. In addition, it is presumed that the more restricted taxing authority of the provinces is less likely to match their spending obligations at any point in time or, possibly, ever. Thus, the need of all provinces for access to the broader taxing capacity of the federal government, or the need for “vertical equity”, provides another basis for federal support of provincially delivered public services.

Correcting any inequity, or mismatch, in the different taxing authority and programming responsibility of the orders of government could be achieved, in theory, through a rebalancing of tax effort between the orders, as proposed by the CCCE for example. However, shifting program priorities and vagaries in tax bases could readily erode that vertical equity over time. A more flexible approach may be required to assure that vertical equity is



Not every province has the resource bases of Alberta and Saskatchewan or the population and manufacturing base of Ontario from which to draw revenues to support important programming objectives.

achieved and is also maintained over time.

The Multi-Pronged Solution

Historically, efforts to satisfy these objectives have led to the development of distinct transfer programs, each aimed at meeting only one or two of the objectives.

It may be possible to identify a single federal-provincial programming initiative or transfer that would serve all of these objectives with equal effectiveness. Or, it may be possible to find a single measure which is acceptably different in its effectiveness at meeting each need.

It is more likely, however, that a “permanent” solution to the issues of fiscal imbalance will be found in a series of initiatives, each aimed at achieving one or two of these objectives and each with the flexibility to be revised co-operatively to maintain the relevance of the package over time. It is most likely that the most satisfying solution for all will come not as a monolith but as a series of building blocks of confederation. This multi-pronged approach may require a higher maintenance effort in the future, but it is also more likely to provide clarity of purpose for each element and a greater flexibility and currency to the fiscal arrangements among governments in the future.

ENDNOTES

¹ “Stand Up for Canada: Conservative Party of Canada Federal Election Platform, 2006”, p.43.

² Jim Stanford, “Let’s call it the ‘Corporate Fiscal Imbalance’”, *Globe and Mail*, February 27, 2006, p. A15.

³ Another element of the “Fiscal Arrangements”, the Tax Collection Agreements has also been a major contributor to these objectives but is often viewed as a matter of administrative efficiency and can be dealt with separately.

⁴ *The Constitution Act, 1982*, Section 36.

⁵ *The Constitution Act, 1867*, Section 91 (3), Section 92 (2) and Section 92A (4).

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Poverty Issues: Experience in Pakistan and the Situation in Saskatchewan

NASIR MAHMOOD

PAKISTAN AND SASKATCHEWAN ARE TWO regions in the world that are miles apart and so much different from each other in their political and socio-cultural spheres. Yet they have many things in common. Some of these are the issues in poverty, experience with socio-economic inequalities, and the policy challenges facing them to address those issues.

Pakistan is a country endowed with abundant human and natural resources, a temperate climate, and a strategic location in the region favourable to trade and development. Despite these natural advantages, Pakistan has been struggling with the challenges of improving the quality of life for its people and reducing the socio-economic inequalities in its society. Notwithstanding its modestly reasonable economic growth in the last sixty years, rapid population growth, inadequate employment generation, and wide income inequalities have prevented the benefits of growth from reaching the majority of the population. Measured on contemporary standards, about half the population lives below the poverty line. The myriad forms of deprivation that poverty has engendered in Pakistan include low incomes, inadequate housing, malnutrition, poor health, and low literacy and skill levels. At the local level, it has also shown up as obsolete communication infrastructure, poor hygiene, deficient schooling and inadequate healthcare. While poverty is prevalent across cities and rural areas alike, it affects more widely the rural areas, which are home to the majority of population. Inequality in income and well being between the urban and the rural areas, and between elite and the working class makes poverty even more conspicuous.

Although Human Development Indicators (HDIs) in Pakistan have improved over time, they continue to be on the lower side compared to the world levels. Adult literacy, which increased from 48% to 49% in the period 1998 to 2001, continued to languish at about 38% among the rural people and at 34% among the females. Likewise, the infant mortality rate, which decreased from 89 to 82 per thousand births for the country, continued to loom high at 88 for the rural population and 81 for the female infants. The proportion of the population that had access to drinking water increased from 83% to 86%, giving 80% of the rural population access to this facility.

The segments of population in Pakistan who suffer most from poverty are women, children, low caste families, tenant farmers, and unskilled workers. Unequal distribution of wealth and power, and discrimination based on gender, caste and class have prevented these people from getting out of poverty. Rural and remotely located areas with little access to social services and means of communication are the worst hit. A wide range of factors is held responsible for pandemic poverty in the country. Most significant of these are the rapid population growth, slow industrial expansion, uneconomic farm size, and shortage of capital. Others include the low level of literacy and skills and inadequate economic and social infrastructure supporting livelihoods among the poor.

Compared to Pakistan, poverty is far less a problem in Saskatchewan. Strong economic growth has led to more employment, which in turn has boosted market incomes in the province. The median after-tax income of families has increased and the

percentage of persons in low income has decreased over time. Poverty has particularly lessened among children. As a result of decreased poverty, the number of persons living below the low-income cut-off in Saskatchewan came down from 136,000 in 1995 to 93,000 in 2004. On the social side, the reduction in poverty has shown up in improved life expectancy at birth and decreased infant mortality. A higher percentage of people now rate themselves to be in good to excellent health than before.

Like their disadvantaged counterparts in Pakistan, Aboriginal peoples in Saskatchewan continue to suffer in grinding poverty and inequality. This situation is highlighted by the fact that the average annual income among Aboriginal peoples in 2000 was merely \$15,961 compared to \$26,914 for non-Aboriginal population.

Unfortunately, the socio-economic situation in Saskatchewan is not as good among Aboriginal peoples as it seems to be among the rest of the population. Like their disadvantaged counterparts in Pakistan, Aboriginal peoples in Saskatchewan continue to suffer in grinding poverty and inequality. This situation is highlighted by the fact that the average annual income among Aboriginal peoples in 2000 was merely \$15,961 compared to \$26,914 for non-Aboriginal population. Likewise, the incidence of low incomes among Aboriginal peoples was alarmingly high (42.1%) compared to merely 9.1% among the non-Aboriginal population. Of all Aboriginal people age 15 and

over, 52.62% had less than a high school graduation certificate compared to 37.84% among the non-Aboriginal population. On account of the low level of education and skills, only 54.5% of Aboriginal peoples could participate in the labour force compared to 69.3% of the non-Aboriginal population. Consequently, the unemployment rate among Aboriginal peoples was as high as 23%, compared to 4.8% in the non-Aboriginal population. Not surprisingly, 27.7% of Aboriginal peoples' income came from government transfers, compared to only 13.8% for non-Aboriginal population.

A study of the mechanics of poverty and inequality in Pakistan and Saskatchewan reveals that, notwithstanding the differences in their socio-economic scenarios, both areas face some important common challenges. In both regions, discrimination based on ethnic origin, caste, culture and economic status acts to stifle poor people's urge

and hope to progress and to make the best use of the resources available to them. Likewise, the currently low level of educational attainment and work skills among the poor stands in the way of their gainful employment. Inaccessibility of financial capital to the poor, based on their un-creditworthiness, shuts on them the doors to economic opportunities.

The detection of important commonalities among the forces generating and perpetuating poverty and inequality in Pakistan and Saskatchewan highlights the possibility of adopting fairly similar anti-poverty policy regimes in the two regions. A very important common policy area could be a region-wide drive against discrimination based on caste, culture, race or class to make opportunities for progress equally available to everyone. Other such areas could be the focusing of public attention on raising the education and skill levels among the

disadvantaged people to enhance their employability, fostering public and private investment in impoverished areas to create new employment opportunities, and improving the access of the poor to financial capital to enhance economic opportunities for them. Such a core policy package could be supplemented with other locally suitable policy measures to make comprehensive anti-poverty strategies in each region. Other things remaining the same, such a recipe may have the potential to work successfully against poverty and inequality in both Pakistan and Saskatchewan.

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ABORIGINAL POLICY - CONT'D FROM PAGE 6

The second priority is for a more clearly stated limit to the RCAP strategy of "institutional parallelism." The RCAP commissioners envisioned a future in which Aboriginals need have minimum interaction with other Canadians. It is an agenda as unworkable as Trudeau's 1969 White Paper proposal to eliminate reserves. Reserves are important for those Aboriginals who choose a communal lifestyle. For those who choose an urban lifestyle, the need is for affirmative action programs to integrate them into Canadian institutions – as employees and employers, as community leaders, as teachers, as politicians.

In his first term as Prime Minister, Trudeau argued, "It's inconceivable ... that ... one section of the society have a treaty with the other section of the society. We must all be equal under the laws and we must not sign treaties amongst ourselves." A quarter century later, RCAP concluded Aboriginals are so culturally distinct from other Canadians that individual Aboriginals participating in mainstream institutions are doomed to fail. "To this day," concluded the

commissioners in their 1996 report, "Aboriginal people's sense of confidence and well-being remains tied to the strength of their nations. Only as members of restored nations can they reach their potential in the twenty-first century." Trudeau's position denies the importance of Aboriginal institutions; RCAP denies the reality that Aboriginals are increasingly living in mainstream Canadian society. No matter where they choose to live, Aboriginals and their children should have options as broad and as attractive as those for other Canadians. Harper is right to have insisted on that. However, he has yet to prove the skeptics wrong. To date there is scant evidence that he has made of Aboriginal policy a "fundamental obligation" of his government.

John Richards is trained as an economist. He has written extensively on social policy in Canada, primarily via the C.D. Howe Institute where he holds the Roger Phillips chair in social policy.

Public Policy for the Arts in Saskatchewan

Whose Policy? Whose Art?



JEREMY MORGAN

THE DELIVERY OF ARTS PROGRAMMING IN SASKATCHEWAN IS characterized by two extraordinary approaches which have been fashioned in Saskatchewan and seem rooted in what we are fond of calling “the Saskatchewan way”: the Saskatchewan Arts Board in 1948 and the Saskatchewan lottery system, 1972. Governed by the Arts Board Act, 1997 and funded largely through the General Revenue Fund, the Arts Board was the first public arts funder in North America. The lottery system in Saskatchewan exists in a very different context than its counterparts in any other province or territory: witness the Saskatchewan Lottery Trust Fund for Sport, Culture and Recreation and the relatively autonomous role that SaskCulture Inc., a volunteer-led, non-profit society, has in the distribution of proceeds to many of the arts, heritage and multicultural groups around the province. Both approaches were truly “made in Saskatchewan”.

Despite our leadership and pioneering development, and the disproportionate success of our artists and organizations, there is surprisingly little public discussion about the arts and its roles in Saskatchewan, at both the provincial and community levels. Perhaps the arts in Saskatchewan and their public impact would be no better off for a debate about public policy, let alone for the policy itself. Would we be better served by a development plan for the sector, without benefit of articulated policy? Or maybe we should leave the whole thing alone, accept that what is constitutes de facto public policy, and go and tend our gardens.

Except: opportunities for young artists to stay and work here; the pitiful income levels of artists in Saskatoon and Regina; the presence of Indigenous cultures; the future of rural Saskatchewan including its cities and large towns and the well-documented opportunities for renewal that arts and culture can bring. One might argue that all we need is, say, an economic development strategy for the arts, but we have learned over the last several decades that a one-trick pony approach, (a single, instrumental reason for public support) has a short life and distorts any real understanding of these complex issues. ‘Proxy’ arguments have some validity and

application but shouldn’t be mistaken for the genuine article. Policy discussion must be based on both an understanding of the nature of the arts and of the public interest in supporting them.

Such a discussion of public arts policy in Saskatchewan would inevitably deal with the ways alluded to above by which public funding is allocated and distributed. It would also have to address the long-standing tradition of ‘arms length’ which in Saskatchewan is fiercely cherished. While arts public policy is often identified primarily with the distribution of public resources and their impact on the public, i.e. what is the public interest, the philosophy underpinning funding decisions and processes is rooted in western European concepts of artistic and intellectual freedom of expression. These ideas may not be antithetical to a public policy based on notions of the public interest, and the public’s interest, but they will have a significant role in shaping the direction of the policy debate. Does public policy have to address an inherent tension between artistic freedom on the one hand and public accountability practices on the other? And how will that influence the shape of the discussion?

What next, then? There have been a number of recent attempts, so far unrealized, at both the federal and provincial levels to formulate public policy in culture (more specifically the arts). One might reasonably conclude that an arts policy is not in the cards. But there is something in the community that keeps coming back to the value of a comprehensive policy and the issues this policy could address. Not surprisingly, opinions vary broadly as to how this can be done and what the process should be like.

Whether through SIPP or in another forum, it is time for this discussion and for the public interest in the arts to be understood and acknowledged. For those working in the sector, it will be in their best interests to help frame the debate, and to engage accordingly.

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Creating Opportunities for Youth Leadership in Saskatchewan Public Policy

ALYSSA PEEL

YOUTH ARE OFTEN CRITICIZED FOR THEIR POLITICAL APATHY, as measured by such phenomena as low voter turnout. There is another way to interpret such trends in youth participation: youth want more. Instead of voting for the *right* policy, youth want to be a part of creating it. Youth offer more than exuberance and more than a vote—youth have skills, ideas and a new understanding of many of the issues facing policy makers. They want to be able to lead change in the province. What they desire is a meaningful role in decision making in the province, not an ancillary one. And why shouldn't they? Youth will live with the effects of public policy decisions made today.

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Saskatchewan youth also have a responsibility. Engaging in public policy making will require youth to build a relationship of give and take. Youth need to continue to partner with policy makers and politicians in new and creative ways on issues of importance to them. Understanding and adapting to the challenges facing our province will require that young leaders cultivate meaningful relationships with others, often more senior, in order to succeed.

More meaningful relationships can be cultivated when institutions and the senior public servants within these institutions share their privilege — their opportunity to lead — with youth. Do the provincial and local governing institutions in Saskatchewan recognize or encourage youth's contributory efforts to public policy? Institutional arrangements that invite youth into the policy making process by creating permanent youth positions, internships or boards are among those strategies which have been employed to increase youth participation in policy making. The mandate of Saskatchewan's Department of Culture Youth and Recreation and programs — such as "Leaders of Tomorrow" — that have been initiated or sustained through the support of government are reasons to remain optimistic. If their goal is to include "youth" as a group or harness a youth perspective, however, then these strategies do not go far enough. Especially when they fail to



take into account the diverse make-up of youth—attentive to gender, race, class, sexual orientation and disabilities. Institutionalized arrangements such as youth committees will only succeed beyond a superficial engagement, with a select and often elitist youth, when those involved—youth and senior policy makers—are clear of their mandate and convinced of its value.

Leadership in public policy is about more than finding *the* answers. Understanding the real nature of the challenges faced by our society is arguably as important a responsibility for our province's future leaders. Youth, despite the insistence of some to the contrary, are already fully engaged in this process. Young entrepreneurs and business professionals are developing a strong sense of Saskatchewan as an environment for their businesses. Delivering an array of services throughout the province, young medical professionals and educators are keenly aware of specific policy successes and shortcomings. Young scientists, employed in the most remote reaches of our province and in our cities' laboratories, house a wealth of knowledge about our local environment and will be responsible for innovations that will see our province move confidently into the future. Successful young artists—musicians, painters, and writers—offer a lived understanding, sometimes celebratory, sometimes chastising, of the challenges facing artistic development in the province. Through experiences and formal education, youth are striving in many areas for an improved understanding of the nature of many of the challenges facing our people and communities. The involvement of Saskatchewan's youth in public policy making requires a broad societal commitment to the idea that youth have something meaningful to contribute. If policy makers and institutions can arrive here, it is not youth alone who will benefit.



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SIPP Constitution Conference May 23 - 25, 2007 (REGINA, SK)

The *Constitution Act, 1982* and Canada's Continuing Constitutional Evolution

April 17, 1982 in many ways marked the culmination of Canada's constitutional evolution as a self-governing, liberal democratic federation. With the proclamation of the *Constitution Act, 1982* by Queen Elizabeth II, Canada had achieved a domestic formula for amending its constitution, a constitutional recognition of Aboriginal and treaty rights for the Aboriginal peoples of Canada, and a constitutionally protected Charter of Rights and Freedoms. Yet the evolution of our constitutional and political norms have not, in fact, ended with the proclamation of the 1982 Constitution; instead, it may even be accelerating as a consequence of the new constitutional principles enshrined in the text of that Act.

In honour of the 25th anniversary of the proclamation of the *Constitution Act, 1982*, the Saskatchewan Institute of Public Policy (SIPP) is organizing a conference "The *Constitution Act, 1982* and Canada's Continuing Constitutional Evolution" to be held in Regina on May 23-25, 2007. SIPP seeks to advance the public policy discourse on Canada's continuing constitutional development by providing a forum in which scholars, practitioners, and the policy community can openly evaluate the impact that the 1982 Constitution has had on public policy and democratic politics in Canada to date and how it might continue to influence our evolution as a political community.

The Institute is seeking proposals for papers or panels (normally three thematically linked papers) that would stimulate discussion on these and related issues, including the following topics:

- * the political and social forces that led to the negotiation of the *Constitution Act, 1982*;
- * the effect of the *Constitution Act, 1982* on subsequent debates over Canadian federalism and the management of intergovernmental relations;
- * the roles of judges, legislators, the executive, and the public in the policy process in the *Charter of Rights* era;
- * the effect of the *Charter of Rights* on Canadian notions of liberalism and political discourse about human rights, equality, and fundamental freedoms;
- * the role of the *Constitution Act, 1982* in the emergence of a political consciousness about Aboriginal rights and the role of Aboriginal peoples in the Canadian state;
- * the effect of the 1982 amending formula on Canada's prospects for future constitutional amendment and the need for informal constitutional evolution; and
- * the influence of Canada's constitutional evolution since 1982 on the development of other liberal democracies.

For those already planning to attend the Congresses of the Humanities and Social Sciences in Saskatoon in 2007, we would encourage you to come to Saskatchewan early and attend what promises to be an extremely interesting conference.

Please send enquiries and paper abstracts of 500 to 1000 words and a one-page *curriculum vitae* by June 30, 2006 to sipp@uregina.ca.