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Review Essay: Two Social Contracts and their Differing Implications

R.L. Mathews (ed.) *Public Policies in Two Federal Countries: Canada and Australia*, Canberra, Australian National University Press, 1982.

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This book is the report of proceedings of the first official Canadian-Australian Colloquium in August-September 1981 and consists of the presented papers. We do not know whether this was the first of a series of conferences for exchanging ideas or if it is likely to be the only one of its kind, for there is no report of discussions which took place. One of the participants, Rotstein, a Canadian economist, expressed the hope that it might be possible during the Colloquium for Canadians and Australians 'to tune into each others' hidden myths and systems of belief which form the implicit guidelines of our public policies' (Mathews, 1982: 121). Perhaps this was expecting rather a lot of one short meeting but to begin interchange of this kind was a big step forward.

The idea of the Colloquium emerged in Canada in 1978 during the Commonwealth Universities' Congress, which explains the composition of the participant group. Reflecting these origins, nearly half were serving or former University Vice-Chancellors or Presidents and most of the others had university associations. The group included former members of governments, senior public servants, and academics with political or administrative experience. Some had served on Royal Commissions or committees of inquiry, or were researching on public policy issues. Matching papers were invited from contributors in the following policy areas: historical aspects of nationalism and federalism; constitutional reform; economic stabilization with special reference to inflation and unemployment; economic development and structural change; intergovernmental financial arrangements and taxation; higher education and research; health and welfare provision; and cultural policy. This wide sweep seems to have been chosen because despite 'the commonality of interests of the two countries and their other long-standing associations, there have been few comparative studies of Canada and Australia in the field of public policy' (Mathews 1982:xiii).

The Colloquium was planned by two Canadians, Professor T.H.B. Symons (Vanier Professor, Trent University and Vice President of the Social Science and Humanities Research Council of Canada)¹ and Professor J. Mathews (Department of English, Queen's University, Kingston); and two Australians, Professor D.A. Low (Vice-Chancellor, the Australian National University) and Professor R.L. Mathews (Centre for Research on Federal-Financial Relations at the Australian National University). Because of the decision to hold it in Australia and its orientation towards federalism, Professor Russell Mathews was asked to organize the meetings and prepare the report of proceedings.

The invited papers were expected to fit into the framework of public policy within the two federal systems of government. 'It was intended that the conference papers would generally be concerned not with federal arrangements as such but rather with constitutional, political, economic, social and cultural problems in a federal institutional setting' (Mathews 1982:xii).

Some topics were excluded from the start — transport, urban affairs, resource development, energy policy and environmental matters, and some papers which were to have been given were not presented because of last minute withdrawals by some of the

Canadian participants who were involved in the constitutional crisis which reached its height at that time. The editor explains:

The matching papers were not meant to be completely symmetrical but were rather intended to identify, for each country in turn, the major concerns of public policy in the selected fields. In a few cases, the issues identified were similar for the two countries and it was possible for contributors to include brief comparative comments and analysis. Where the issues in Canada diverged from those in Australia, the papers were intended more generally to inform and to promote a wider understanding of the other country's problems and of possible ways of dealing with them (Mathews 1982:xii).

The first two papers welcoming the Canadian participants to Australia stress the important nature of this conference as the first direct face-to-face meeting of representatives of the two countries on their own chosen ground and not under the aegis of Britain or the United States. Such previous interchanges of information as there had been had often been indirect, distorted or ill-informed. Now the time had come for direct communication on matters of mutual interest. These were the two countries which had been described as having most in common culturally and politically (Crabb, 1981) and now their Prime Ministers were showing world leadership in Commonwealth Conferences, reconciling other nations' conflicts. They seemed to have come of age.

It would appear that others were then beginning to feel that the time for direct Canadian-Australian group interchange was ripe for development. The Colloquium coincided with the beginnings of ACSANZ and the launching of this journal. While the idea of the Colloquium had begun to take shape in Vancouver, ACSANZ is an antipodean movement which has been undertaking missionary work in Canada. Gradually there has been identification of a group of scholars interested in comparative studies. The representation on this journal's editorial board would seem to indicate that a wide range of professions and disciplines is involved.

The very breadth of the group of scholars, the range of professions and disciplines, could pose a problem for the organizers of future international and interdisciplinary exchanges unless they can identify some areas of shared concern which will engage the interest of more than the few specialists working in any particular field. It seems that by identifying Public Policy this planning group picked one of these areas, because it shapes the contexts in which all other work is done. Clearly, discussion on this topic will be of particular concern to those working in disciplines such as political science or constitutional law and to some in professions such as public administration, but it is also a matter of general interest.

Public policy is a broad topic. It was narrowed in this instance to fit in with the wishes of the sponsoring group while still appealing to the general public. The general plan was to discuss the two constitutions (defined by two of the speakers as the social contract of members of a nation); to consider the nations' economic situations; their resource allocation mechanisms; their social policies — the content rather than the process of resource allocation; their cultural policies; ending with a general assessment of current problems of living in a federation. This plan was, of course, so broad that something had to be excluded. Constitutional revision was the dominating feature of Canadian life at the time so this issue was given the most space. Of the twenty-six papers, eleven were focussed on the constitutions; five on economic issues; three on fiscal-federalism; three on education, health and welfare policy; five on cultural policy; and two were general assessments of current problems in federalism. We are told that it was decided to omit some topics, including resource development and energy policy — two vital issues in the Canadian constitutional discussions. Without these, the economic sections were bound to be incomplete in coverage. Similarly, social policy was restricted to two discussions on

tertiary education and one on Australian health and welfare policy. Some of the thinness in these sections may, of course, have resulted from no-shows, as seems to be indicated by the suggestion that reading Brown's booklet (1977) on *The Financing of Personal Health Services in New Zealand, Canada and Australia* might compensate for the omission of matching Canadian information, but I do not think this was the only reason. There were time constraints and some choices had to be made.

If the main purpose of this conference was to establish the parameters for future discussions between the two countries perhaps the choice was right, but I think the report would have been more interesting if it had been restricted to fewer topic areas and had been more thorough in its discussions of the implications of the two social contracts, education at the post-secondary level, and cultural policy. This is not to suggest that individual papers on economic and social problems were not interesting but there was no satisfying critical mass of presentations in any of the areas after the constitutional reviews.

Before going further I should declare my own interest. I am a Canadian, an academic, researching in comparative health policy (so I have special concern about some sectors of public policy) but for me this conference report is of general rather than specific interest. I have no expertise on constitutional, economic or cultural matters and must respond as a member of the general public. What then have I learnt from reading this conference report?

It would appear to be the best existing summary of the events and the issues in the Canadian constitutional crisis. I asked our University librarians what they would recommend to students of this period and was handed a most useful reference list of government publications on the Amendment of the Canadian Constitution put out by the University of Toronto Library (undated). This lists Laws, Statutes, Debates, Parliamentary Committee proceedings and reports, Federal-Provincial Conference proceedings, the Supreme Court Judgment and nine books (mostly advocating a point of view on the issues). Articles in *Canadian Public Policy* deal with aspects of constitutional reform, but according to the librarians there is no short account of the events or brief presentation of viewpoints except in the newspapers or weekly news magazines.

Mathews' introduction provides a listing of events in the Constitutional Crisis — before and after the Colloquium — thus setting the five Canadian discussion papers in context. The first, by Watts, looks at 'The Historical Development of Canadian Federalism'. In this he stresses the concurrent development of the nation and its provinces and the need for this development to be kept in balance if the federation is to survive. In his concluding paper on 'A Federation Under Strain: What is Going on in Canada?' Gordon Robertson argues that this balance is very difficult to maintain, as there are strong pressures towards establishing a unitary state at one end of the continuum or towards break-up of a federation at the other. Canada seems to have been remarkably persistent in preserving the balance, but at the price of continuing stress, for federal-provincial coordination is a dynamic matter which has to be negotiated time after time. Watts describes some of these dynamic changes since 1867, when the quasi-federation of four states was established, under a local elite, in an effort to break away from colonial control. Since then, as the nation has cast off colonial ties, there have been five periods in which centralization and decentralization have alternated. He remarks on 'the impulse to greater social intervention of governments' (Mathews, 1982:23) and the competition between both levels of government for power. So far as the machinery of government is concerned, the decision to adapt the Parliamentary mechanisms to a federal system was an important one. It has advantages and disadvantages. The achievements of Parliamentary executive federalism have been: good intergovernmental communication, a narrowing of tax disparities,

establishment of an integrated tax structure, a welfare state approach. Disadvantages can be listed as:- polarization of views and confrontation with the provinces; regional viewpoints lost when channelled through government machinery; possibility of quick action by government but lack of checks on government powers. There is need for updating, he believes, to improve the machinery of cooperation, to recognize duality (as recommended by the Task Force on Canadian Unity in 1979), to provide for better regional inputs, to promote the ability of centralized institutions, and to serve as a legitimate focus for all Canadians.

In a later session, Stanfield, an ex-leader of the Opposition, spoke on 'Constitutional Reform: Canadian Issues', presenting a broad perspective as seen by an English-speaking Canadian. He was followed by Remillard on 'The Trudeau Resolution and Constitutional Reform in Canada' presenting the Quebecers' viewpoint. Robertson summarized 'The Position of the Government of Canada on Constitutional Reform, 1980-81'.

These speakers explained why there was a constitutional crisis. Quebec had wanted a redistribution of powers and had shown this by its Quiet Revolution of the sixties. The search for accommodation in 1967-71 had been unsuccessful. It took the threat of separation, proposed by the Parti Quebecois when it took power in 1976, to rouse the rest of the nation to action. In the meantime other groups had become discontented — native peoples and the western provinces. Stanfield did not think it was necessary to have constitutional change. New laws were not necessary but accommodations through negotiation were. It was the strategies which were failing.

Robertson's paper began with the Conference of Premiers and the Prime Minister in September 1980 which failed to agree on any of the twelve items on the agenda. There was progress but no consensus. What choices of strategies were left to the Prime Minister, he asks — another conference, a general referendum or 'the Trudeau Resolution' asking the Parliament of Great Britain to repatriate the Canadian constitution? Remillard argues that the last course, which the Prime Minister adopted was illegitimate because the Constitution is a social contract depending on the peoples' agreement and so this action should not have been taken unilaterally. Robertson, however, thinks that Trudeau had no real choice. As Mathews outlined in the introduction, the Trudeau Resolution was challenged in three Provincial Courts and appealed in the Supreme Court which agreed that, in law, Trudeau was right but, by convention, the challengers were right. The contending parties were recommended to return to the negotiating table.

Remillard argues that the last course, which the Prime Minister adopted, was illegitimate three other provinces in federation because this seemed to be a large step nearer to separate identity than the colonial dependency which it was to replace. Thus Canadian federation has always been pragmatic — for security, welfare, prosperity, improvement of economic markets — rather than about principles (as was U.S. federation), and, for Quebec, national identity was always the objective. Trudeau's Charter of Rights missed the point.

It was hard for the Australians to match this discussion of the Canadian drama then taking place. The paper by Martin on 'Australian Federalism and Nationalism: Historical Notes' comments on the lack of passion in Australia, the difficulty in finding a strong and distinct national ethos. He comments instead on the development of vastly changed and widely accepted assumptions about the role of government, particularly in economic management and social welfare (and on the development of machinery for putting federalism into practice). Despite the development of this machinery, or perhaps because of it, Whitlam tried to change the way of relating to the rest of society. His new federalism stressed regionalization and consumer participation and the establishment of

Commissions to reorganize resource allocation through specific grants. He attempted to circumvent the States and the narrow Parliamentary channels through restructuring. Fraser took the opposite tack. He gave block grants and returned decision making power to the States while reviewing the machinery for collecting taxes, for allocating resources and for exchanging information between governments and other important pressure groups.

Aitken's paper on 'Australian Politics in a Federal Context' provides a quick summary of politicians' and parties' behaviour, and electoral response. He says there are no basic value conflicts, solely conflict of interests between federal and state governments. There has been no questioning of Australian identity because of isolation on the one hand and sporting rivalries with Britain on the other, which clarified allegiances.

Howard and Saunders review the processes of 'Constitutional Amendment and Constitutional Reform', processes which they distinguish and treat separately, while Else-Mitchell examines 'Australian Processes for Constitutional Amendment'. They are agreed that it is not easy to reform the Australian Constitution. There have been three attempts at establishing machinery to accomplish reform in 1929, 1959 and 1975-78. No amendments will be passed without all party support and proposed changes are not taken up because they must be initiated in Parliament through the party system and both parties fight change in opposition even if the changes would profit them when back in office. However, there seem to be few issues of moment. These were listed by the various speakers as: resource development and national integrity; Senate reform; a republic; improved industrial relations powers; better definition of tax raising, revenue distribution and equalization granting powers; right to trial by jury in all States; improved company law.

Following the constitutional discussions, there were five papers on economics — three on economic stabilization, inflation, and unemployment, and two on economic development and structural change. I am unable to assess the worth of these papers, to know whether they make a significant contribution to that disciplinary area. The papers by Barber on Canadian and Gray & Gruen on Australian 'Inflation and Unemployment' seem to me to be dated now and to be concerned with federal action, not the balance of federal-provincial approaches. Indeed, Barber comments on the need for more active provincial involvement in fiscal policies to combat these evils in his last paragraph. Hancock, in a presentation entitled 'Economic Stabilization and Wage Policy in Australia' tends to be critical of Gray and Gruen and proposes remedying some of their omissions in his paper.

These presentations are followed by a discussion of 'Canadian Strategies for Economic Development' by Rotstein and one on 'Structural Change in Australia' by W.A. McKinnon which I found helpful in pulling together rather ill-formed ideas on the subject. Rotstein's sub-headings indicate his paper's content: industrial and geographical dualism; foreign direct investment in Canada; Canada as a branch plant economy; industrial strategy; the national energy program; manufacturing strategy; regionalism and federalism. He warns:

I shall argue that in certain respects, Canadian experience may offer some previews, or rather, forewarnings to Australia of problems that lie just down the road (Mathews, 1982:121).

McKinnon begins by saying that Australian interest in structural change has dominated the last decade in order that GNP can be increased. This paper appears to be a precis of the discussions over that period.

After considering resource development, the Colloquium turned its attention to Fiscal

Federalism with a paper by Macdonald explaining briefly the Canadian financial arrangements and the post World War II changes in policy. This was followed by a much more thorough exposition of 'Australian Intergovernmental Financial Arrangements and Taxation' by Mathews and a comparative paper by Robertson. These three descriptions would make a useful general introduction to the subject for new readers. They show how a vague word like 'equality' is translated into 'equalization' and how even that much more specific concept can mean very different things in different places.

The section on 'Education, Health and Welfare' promises more than it performs. It begins with two papers on universities. The first by Earp is entitled 'Canadian Universities and the Current Crisis in Intergovernmental Relations'. A footnote warns that it does not consider the particular problem of federal research funding because it concentrates on direct federal grants to provincial governments, and the difficulties that there are in Canada because the provincial governments refuse to be accountable to the federal government for any educational matters, including the spending of federal funds granted in aid of education. Earp explains that, by convention, research and manpower training had come to be accepted as fitting subjects for federal initiatives. These deviations are now being challenged by Quebec. (And there is now, in 1985, a steadily growing concern about the future of University education, greater than is expressed here, because education seems to be undervalued by the provincial governments which are struggling to cope with the recession.)

Karmel, who has long been associated with Australian inquiries into University development, presents the next paper on 'Higher Education and Research in Australia'. Unlike the complete decentralization of education policy to the provincial governments of Canada, Australian post-secondary education policy is highly centralized because the federal government provides 100% of government funding for higher education and a proportion of funding for technical and further education. Funding goes directly from Canberra to the institutions, on advice from the Commonwealth Government Tertiary Education Commission, so it can be tightly planned in terms of response to the economic situation, deciding on the number of graduates who should enter the labour market, including teachers. However, the adequacy of this planning has been questioned because of lags in response to recessionary trends. Karmel suggests that there is still a lack of confidence both in government and in the population generally about the advantages of higher education. Research funding has been increased and a statement of national objectives for research was in preparation at the time of the Colloquium.

The one paper on 'Australian Health and Welfare Services' by Sax describes the health and welfare systems as pluralistic, complex and not tightly organized, involving three levels of government, as well as public and private providers and institutions. By comparison, he says, the system for the provision of income support is tightly organized, with the Commonwealth making payments directly to beneficiaries and pensioners. Social security and welfare are composed of a complex interlocking and partly overlapping set of programs which are operated according to different eligibility criteria, benefit levels, benefit units, rules and regulations. This, of course, does not tell us much and Sax ducks out of making international comparisons using GDP because, he says, different items are included in different countries. So he proceeds to discuss current issues of policy coordination and rationalization, intergovernmental relationships, and a push to improve services for the handicapped. Considering the difficulties of addressing this topic area Sax has produced a creditable summary.

The succeeding section on Cultural Policy is out of my field, but as I read the papers I was struck by K.R. McKinnon's question: Should there be a Federal Cultural Policy? It seems Kingsley Amis does not think governments should have an arts policy at all! He

may be influenced by his very different context, for both Canadians and Australians are convinced that a clearly stated policy is essential.

The first paper by Symons on 'Cultural Diversity, Canadian Identity and Canadian Federalism' argues the importance of cultural pluralism not only for Canada but because, in this country, some world problems of communication may be resolved. Presently, cultural diversity leads to confrontations which may be exploited by politicians. Yet it is cultural diversity which makes Canadians distinctive as a people. This is their identity — the sharing of a common land, and a community of interest and experiences. Homogenizing is not the answer. Rather, attention should be given to promoting a working proficiency in the two official languages. (Symons must be pleased to see the increasing demand for immersion courses in recent years.) J. Matthews makes a plea for a strong cultural policy which is not linked to current political and social implications, which does not have competing jurisdictions but tolerates and supports talent wherever it may be found without interference. Caya is also concerned with jurisdictional problems. As a librarian and archivist he considers whether federal or provincial governments should be responsible for the country's heritage.

K. R. McKinnon and Botsman discuss Australian cultural policy issues and the necessity for government involvement in promoting development. There are fewer very rich Australians than rich North Americans. Dependence on government as patron is growing and 'there is considerable evidence that the public sees financial support for cultural activities as a legitimate government role'. How then should this role be played out? McKinnon discusses the way in which the Australian government intervenes. Botsman does not think sufficient resources are allocated.

Since the Canadians had not addressed specifics in the same way, I went to find out what the federal policies were and discovered that the Report of the Federal Cultural Review Committee (Applebaum-Hebert 1982) had been published just after the Colloquium, Symons being a member of that committee of inquiry. The second chapter of this report has a section entitled 'The Imperatives of Government' which succinctly states the issues in resource allocation policy, not only in promoting culture but generally. Later, a discussion on 'merit goods' could equally well have come from a report on health policy.

To sum up, the Australian papers are much more descriptive of events or of services available, the Canadian papers more problem oriented — perhaps the briefing was different. Or were the participants demonstrating cultural differences in their approach here? As indicated, this collection will please some more than others. I can only say for myself that having to read it in detail for this review was profitable. Almost every paper stimulated new ideas — for example, I would not have thought of the Canadian provincial governments as being in competition with federal government before, only with one another, but how well that word competition conveys their posturings. There is, however, a lack of assessment of government intervention generally. K. R. McKinnon says: 'A non-policy sets the limits as effectively as an explicit policy declaration. Like Pontius Pilate, if governments wash their hands of policy, they are in effect declaring a policy to let the mob or the market decide...' (Mathews 1982:249). I would have been interested to see this argument developed not only for Australian cultural policy but for public policy interventions in all kinds of areas. Why, for example, should Australia have had an interventionist policy in the arts in 1981 while defending to the bitter end of the Fraser regime its return to market policies in health care?

Are there special conditions in the ex-colonies of Australia and Canada which require greater, or less, public intervention into the market system? This is the kind of question the next conference might try to address.

Footnotes

1. Professor T.H.B. Symons is the author of *To Know Ourselves: the Report of the Commission on Canadian Studies*. Ottawa, Canada: Department of the Secretary of State, Supply and Services, 1976.

References:

- Brown, M.C. (1977). *The Financing of Personal Health Services in New Zealand, Canada and Australia*. Research Monograph No. 11. Canberra: Australian National University Press.
- Canada. (1982). *Report of the Federal Cultural Review Committee*. (Applebaum-Hebert) Ottawa: Information Services.
- Canada. (1979). *Reports of the Task Force on Canadian Unity*. (Pepin-Robarts) Ottawa: Information Canada.
- Crabb, P. (January, 1983). 'Canadian Studies in Australia: Aiding Understanding of our North Pacific Neighbour'. *Australian-Canadian Studies: An Interdisciplinary Social Science Review*. Vol. 1, pp. 6-13.
- University of Toronto Robarts Library: *Government Publications Guide No. 1: The Amendment of the Canadian Constitution*. Toronto: undated.
- © Anne Crichton, *Australian-Canadian Studies: A Multidisciplinary Review*, Volume 3, 1985.