Report of the Task Force on Canadian Unity (Pepin-Roberts Report), *A Future Together* (1979) p 3-32

The Task Force on Canadian Unity was established under Order in Council P.C. 1910, 5 July 1977, under Part I of the Inquiries Act (R.S.C., 1970, c.I-13) and on the recommendation of the Prime Minister. The Commission was mandated to inquire into questions relating to Canadian Unity. During the course of their inquiry the Commissioners were to: (a) hold public hearings and sponsor public meetings to ascertain the view of interested organizations, groups and individuals; (b) work to support, encourage and publicize the efforts of the general public and particularly those of non-governmental organizations, with regard to Canadian unity; (c) contribute to the knowledge and general awareness of the public the initiative and views of the Commissioners concerning Canadian unity; (d) assist in the development of processes for strengthening Canadian unity and be a source of advice to the government on unity issues; and (e) inquire into any other matter concerning national unity that may be referred to the commission.

In the report, the Task Force on Canadian Unity made following observation:   "The point of departure for the Task Force cannot be other than the election of the Parti Québécois as the government of Quebec on 15 November 1976. That election victory was the culmination of a long historical process; it was also the beginning of a new era in the life of our country. There have been other occasions in Canadian history when provincial governments were elected in opposition to Confederation, but never before had the goal of provincial independence been sought with the firmness of purpose displayed by the leaders of the Parti Québécois. For the first time since it was created in 1867, the Canadian political union faced the genuine possibility of the seccession of one of its largest provinces."   Prime Minister Trudeau formally established the task force during a debate in the House of Commons on national unity in which he emphasized the government's language policy. Basically, the Task Force was to publicize and encourage non-government organizations seeking to promote Canadian unity and to advise the government on unity issues. In particular, it was to provide a forum for discussion of issues relating to national unity and the constitution of Canada. As the Prime Minister told Parliament:   "the government of Canada is committed to considering together with the people of Canada the possibility of bringing in basic in-depth changes to its direction, to Federal institutions and to the constitution.

Cairns review of the report in: Recent Federalist Constitutional Proposals: A Review Essay

The commissioners' response to the crisis that called them into existence is based on their interpretation of the contemporary Canadian reality which, they feel, no longer fits the constitutional system that has incrementally evolved since 1867.

In our judgment, the first and foremost challenge facing the country is to create an environment in which duality might flourish; the second is to provide a fresher and fuller expression of the forces of regionalism in Canada's constitutional system and power structure.... it is in the context of the present crisis that we assign priority to these two, and we do so for a very simple reason. Each, if ignored or left unsatisfied, has the power to break the country, and each must accept the other if a new period of harmony is to be achieved. (Task Force, 1979a: 21)

The Francophone side of duality, therefore, is no longer the community, or communities, of French Canada from the Atlantic to the Pacific, as it is in the Trudeau formulation, but French Canada in Quebec, speaking through the provincial government, and increasingly self-defined not as French Canadians who belong to Canada, but as Quebecois, citizens of a French language state in the making. To this fact the constitutional structure of Canada must adapt

The second socio-political fact to which a revised constitution must adapt is the growing regionalism of Canada, which the commissioners feel has transformed the country since the mid-sixties. They adopt a particular political definition of regionalism, which leads them to view the provinces and the northern territories as the

basic building blocks of Canadian society and the ... political frameworks through which the various regional communities express and will continue to express themselves....The provincial political institutions are the primary frameworks through which regional populations can organize and express themselves, and their existence serves in turn to develop the social networks and interests based on them, thus reinforcing the provincial focus of regionalism.(p 26-7)

The tendency of the Task Force is to avoid any implication that a national community exists that might have rights against the lesser communities of which the country is composed:

Canadian unity is ... the sum of conditions upon which the various communities and governments of Canada agree to support and sustain the Canadian state. As such, it endows each of the parts with something it would not have if it stood alone. It is, then, a just union of constituent elements, or, as one dictionary puts it, a harmonious combination of parts

Cairns argues that although the report attributes a significant economic role to Ottawa (p.85) - along with responsibilities in defence and foreign policy - the justification for that role is fragile, and subject to never-ending calculation. A role for the central government, no matter how extensive, is likely to be ephemeral if it is sustained only by the provincial/regional self-interest to which the report gives priority. Although there are scattered indications to the contrary, the basic constitutional philosophy of the Task Force is a modern version of the compact theory in which Ottawa exists on sufferance, and the federal government, as Premier Duplessis used to say, is the child or creature of the provinces.