

**Constitutional Confusion on the Left:
The NDP's Position in Canada's Constitutional Debates**

Murray Cooke
mcooke@yorku.ca

First Draft: Please do not cite without permission.
Comments welcome.

Paper prepared for the Annual Meetings of the Canadian Political Science Association,
June 2004, Winnipeg

The federal New Democratic Party experienced a dramatic electoral decline in the 1990s from which it has not yet recovered. Along with difficulties managing provincial economies, the NDP was wounded by Canada's constitutional debates. The NDP has historically struggled to present a distinctive social democratic approach to Canada's constitution. Like its forerunner, the Co-operative Commonwealth Federation (CCF), the NDP has supported a liberal, (English-Canadian) nation-building approach that fits comfortably within the mainstream of Canadian political thought. At the same time, the party has prioritized economic and social policies rather than seriously addressing issues such as the deepening of democracy or the recognition of national or regional identities.

Travelling without a roadmap, the constitutional debates of the 80s and 90s proved to be a veritable minefield for the NDP. Through three rounds of mega-constitutional debate (1980-82, 1987-1990, 1991-1992), the federal party leadership supported the constitutional priorities of the federal government of the day, only to be torn by disagreements from within. This paper will argue that the NDP's division, lack of direction and confusion over constitution issues can be traced back to longstanding weaknesses in the party's social democratic theory and strategy. First of all, the CCF-NDP embraced rather than challenged the parameters and institutions of liberal democracy. The CCF-NDP has viewed its social democratic mission as extending democracy to the social and economic sphere. The party has rarely questioned the nature of Canada's political democracy or its existing political institutions. This has meant that the CCF-NDP has never had a constitutional agenda of its own.

Second, as the NDP did take modest steps to develop its response to Canada's constitutional challenges, it did not fully develop these ideas or attempt to popularize

them with the party membership or electorate. The party was pushed to develop a response to the immense challenges to Canada's constitutional status quo it did become an advocate of Aboriginal rights and has sought to accommodate the demands of Quebec nationalism. However, the party has failed to adequately flesh out its policies. The party lacks the ability, or interest, to develop coherent policies. The party has not been able to popularize its position and downplays controversial positions. Despite its rhetorical policy commitments, the party shies away from advocating special status for Quebec and asymmetrical federalism.

The NDP's constitutional confusion has harmed itself in two ways. The party allowed itself to blend into the political establishment, most notably through the party's prominent support for the Charlottetown Accord. At the same time, the party aligned itself with controversial political positions such as recognition of Quebec's distinct society without ever having seriously promoted or explained these policies to their own party membership let alone the wider public. The NDP's constitutional confusion has not only hurt the party but it has prevented the emergence of a potentially alternative voice in English-speaking Canada on issues of Quebec and constitutional renewal. For example, the NDP has leaned toward supporting a distinct society clause and asymmetrical federalism but has rarely chosen to publicly promote or defend those policies. The national political dialogue has suffered as a result. The retreat from 'mega-constitutional politics' has not made these issues irrelevant. The divisions and tensions within the NDP were revealed in the debate over the federal Clarity Act. Under their new leader, Jack Layton, the party hopes to appeal to Quebec voters, which should re-ignite the tensions over how the party should relate to Quebec nationalism.

The CCF Legacy: Centralist Liberal Constitutionalism

In October 1980 when Ed Broadbent, without properly consulting his federal caucus or his provincial counterparts, backed Pierre Trudeau's plan to unilaterally patriate and amend the constitution, he showed questionable political judgement, but he acted in line with the traditional constitutional position of his party. That Trudeau and Broadbent, despite their differences, should find common ground should not have been surprising. Trudeau, after all, was heavily influenced by F.R. Scott, who was also the primary architect of the CCF's constitutional position.

In broad terms, the CCF and its intellectual leaders sought to complete the institutions of Canada's liberal democratic state rather than to develop more democratic or participatory structures. Of course, the CCF was committed to a democratic, parliamentary path to socialism not revolution. As its Regina Manifesto was at pains to point out, "It is a democratic movement...seeking to achieve its ends solely by constitutional methods." On the one hand, the party sought to reassure Canadians that they were not revolutionaries and on the other hand they sincerely accepted the broad outlines of the political system itself. The classic constitutional demands of the CCF were to abolish the unelected Senate, to obtain domestic control over the Canadian constitution and to entrench a bill of rights.¹ The CCF strove to develop a more liberal democratic political structure and achieve full Canadian nationhood. As the CCF pointed out in its electoral platform in 1953, "Canada has the doubtful distinction of being the only member of the Commonwealth which does not have complete freedom to amend its own

¹ For a presentation of these demands, see League for Social Reconstruction, *Social Planning for Canada* (Toronto: University of Toronto Press, 1975 [1935]).

constitution and which does not have its own national flag.”² The CCF did not further examine issues of democratization or representation with Canada. It is notable that the CCF tradition includes such eminent constitutional scholars and defenders of the British parliamentary tradition as Scott, Eugene Forsey and Stanley Knowles.

The CCF was more concerned with expanding democracy into the economic realm and advancing social rights than in developing new forms of democratic participation.³ The primary political reform would be to expand the role of experts through the creation of a National Planning Commission “consisting of a small body of economists, engineers and statisticians assisted by an appropriate technical staff.”⁴ This Commission would be assigned the task of running a socialized and planned economy and responsible to Cabinet. The Fabian socialists of the League for Social Reconstruction (LSR), a group of intellectuals closely connected to the party, held a near religious belief in the role of planning by experts. This technocratic faith in centralized planning conflicted with notions of popular democracy.

The LSR rejected changes to the electoral system or reforms to Parliament, other than abolition of the Senate. This illiberal unelected institution was to be eliminated. There was no interest in replacing it with some other institution to represent the regions of the country. They acknowledged that their reforms would strengthen the tendencies toward executive dominance of the legislature and “the practice of government by

² Reprinted in D. Owen Carrigan, *Canadian Party Platforms, 1867-1968* (Toronto: Copp Clark Publishing, 1968), 204.

³ David Laycock, *Populism and Democratic Thought in the Canadian Prairies, 1910 to 1945* (Toronto: University of Toronto Press, 1990), 136-202.

⁴ From the Regina Manifesto of 1935, reprinted in Carrigan, 122.

independent [unelected] experts.”⁵ The CCF did recognize that economic inequality did have an impact upon the ability of individuals to influence and participate in the liberal democratic system. Still, the primary problem with Canada’s political institutions was the individuals in elected office.

The CCF had an impressive record of defending civil liberties and a long history of support for a bill of rights. The LSR advocated an entrenched bill of rights in 1935.⁶ In 1945, the CCF introduced a motion in the House of Commons in favour of entrenching a bill of rights in the Canadian Constitution. The CCF government in Saskatchewan introduced a provincial bill of rights in 1947 and Premier Douglas advocated an entrenched bill of rights at a constitutional conference in 1950.⁷

As is well known, the Regina Manifesto was highly centralist in its prescriptions. It argued that the division of powers in the British North America Act reflected the conditions “of a pioneer, mainly agricultural, community in 1867.” The task was to adjust it to “the increasing industrialization of the country and the consequent centralization of economic and financial power-which has taken place in the last two generation.” The Manifesto recommended “the amendment of the Canadian Constitution, without infringing upon racial or religious minority rights or upon legitimate provincial claims to autonomy, so as to give the Dominion Government adequate powers to deal effectively with urgent economic problems which are essentially national in scope.”⁸ The CCF called

⁵ League for Social Reconstruction, 494. For a discussion of the LSR’s constitutional position see, Michiel Horn, *The League for Social Reconstruction: Intellectual Origins of the Democratic Left in Canada 1930-1942* (Toronto: University of Toronto Press, 1980), 104-120.

⁶ League for Social Reconstruction, 508.

⁷ Roy Romanow, John Whyte and Howard Leeson, *Canada...Notwithstanding: The Making of the Constitution 1976-1982* (Agincourt: Carswell/Methuen, 1984), 220-221.

⁸ Carrigan, 121.

for centralization not only to deal with the crisis of the Great Depression but also to facilitate social democratic central planning.

Gradually the CCF did take some very modest steps toward moderating its centralism and becoming more sensitive to the demands for provincial autonomy.⁹ After the Depression, as the provinces recovered financially, the demand for federal action was less pressing. By the mid-1940s, the election victory in Saskatchewan and the second place finishes in BC and Ontario gave the party an incentive to explore the possibilities of provincial powers. Peter Graefe makes a convincing argument that as the CCF became more pragmatic and moved away from centralized planning there was less emphasis on strengthening the federal government through constitutional amendment.¹⁰

The New Party: What Does Quebec Want?

From its electoral heights in the 1940s, the CCF fell backward during the 1950s. The disappointing electoral results of the 1950s led to the transformation of the CCF into the New Democratic Party in 1961. The three main goals of the New Party were to strengthen ties with the trade union movement, to make inroads into Quebec and to reach out to 'liberally-minded' individuals.

The CCF had been electorally insignificant in Quebec. "There was nothing in the CCF as a political movement that was really consistent with attitudes that prevailed in Quebec."¹¹ The party favoured a strong central government and did not look favourably on provincial rights. The Catholic Church denounced the party. The main spokespersons for the CCF in Quebec were (bilingual) English-speaking Montrealers such as F.R. Scott

⁹ Horn, 111.

¹⁰ Peter Graefe, *From Coherence to Confusion: The CCF/NDP Confronts Federalism*. Major Research Paper. MA Programme in Political Science. York University, 1996, 22-27.

¹¹ Walter D. Young, *The Anatomy of a Party: The National CCF 1932-1961* (Toronto: University of Toronto Press, 1969), 215.

and David Lewis. The party name was practically untranslatable until the Quebec section renamed itself the Parti social démocratique du Québec in 1955.¹² The CCF had recognized the duality (language and religion) of Canadian society but certainly did not attribute any specific role to Quebec's provincial state.¹³ In 1953, the CCF election platform declared that "full recognition must be given to the fact that Canada is a bi-cultural and bilingual nation."¹⁴

At its founding convention the NDP recognized the existence of two nations and two national cultures in the country. The party also spoke of co-operative federalism, unconditional federal grants to the provinces and allowing provinces to opt out of programs with financial compensation. The party also pledged that if it formed a government it "work out a reasonable method of [constitutional] amendment with the provinces."¹⁵ Two years later the party gave a stronger formulation of the two nations policy:

We can be satisfied with nothing short of a complete rethinking of our federal system and of the relations between the two nations which established Canada. We must modify our constitution, our legislation and political practices, in the light of present day Canadian realities. Our constitution must recognize the equal status of the French Canadian nation and the English Canadian nation.¹⁶

While this recognition continued the view of pan-Canadian duality between French and English, the NDP did take its first steps in recognizing the "special character" of Quebec. The NDP took the position that Quebec could opt-out of shared cost programs in certain areas of provincial jurisdiction and receive financial compensation.

¹² Michiel Horn, "Introduction: Frank Scott's Life in Politics," *A New Endeavor: Selected Political Essays, Letters, Addresses*, ed. Frank R. Scott (Toronto: University of Toronto Press, 1986), xxxii.

¹³ Graefe, 17.

¹⁴ Carrigan, 204.

¹⁵ New Democratic Party, *New Democratic Policies, 1961-1976*, (Ottawa, 1976), 88.

¹⁶ *Ibid.*, 89.

The presence of the NDP within Quebec remained minimal. An attempt to establish the Quebec NDP in 1963 led to a split between federalists and nationalists.¹⁷ The nationalists broke away from the NDP to form the Parti Socialiste du Québec as a provincial party. It took until 1965 under the leadership of Paul Cliche, before the Quebec NDP was formed.¹⁸ The party had big hopes for a breakthrough in the 1965 federal election. The platform asserted that “Quebec must have the assurance that she can differ from the rest of Canada.”¹⁹ Hopeful candidates included Cliche and Charles Taylor, but Pierre Trudeau, a former supportive of the NDP and now a Liberal, defeated Taylor in Mount Royal. The party did receive 12 percent support in Quebec.²⁰

This began a brief phase of Canadian politics in which all three of the major federal parties responded to the Quiet Revolution by moving toward a notion of special status for Quebec.²¹ Having recognized the bi-national nature of Canada, the NDP began to outline a form of asymmetrical federalism. By the mid-60s, Charles Taylor had taken up the role previously held by F.R. Scott as the party’s primary constitutional thinker.²² In 1965 the NDP passed a resolution in favour of entrenching in the constitution provisions that would “recognize, clarify and define the special status of Quebec as the guardian of the French language, tradition and culture.”²³ In 1967, the party passed its most extensive formulation of Quebec’s special status and the need for asymmetrical federalism:

¹⁷ Michael Oliver and Charles Taylor, “Québec,” *Our Canada: The Story of the New Democratic Party Yesterday, Today and Tomorrow*, ed. Leo Heaps (Toronto: Lorimer, 1991), 146-147. See also Desmond Morton, *The New Democrats 1961-1986: The Politics of Change* (Toronto: Copp Clark Pitman, 1986), 45.

¹⁸ Morton, 57-61.

¹⁹ Morton, 63-64.

²⁰ Morton, 66.

²¹ Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity* (Toronto: Oxford University Press, 1997), 38-54.

²² Morton, 44, 59. Graefe, 35-37.

²³ New Democratic Party, *New Democratic Policies*, 90.

we recognize that Quebec is different from the other provinces in that it is the principal centre in Canada of the French-speaking community. For this reason Quebec's relation to the Federal government will differ in certain respects from that of other provinces. In fields of government activity which touch the design of a community's way of life – fields – such as social security, town planning, education, and community development – Quebec must have the right and fiscal resources to adopt its own programmes and policies in place of those designed and financed by the federal government. At the same time, the federal government must be able to play an increased role in these fields where this is desired by the people of the other provinces.²⁴

The party would soon find this formulation out of step with the Canadian public.

The emergence of Pierre Trudeau on the federal political scene and the popularity of his stand against Quebec nationalism changed the dynamic within the country. “In Trudeau, English Canada had found a constitutional hero. More than that, in his ideas they would find the makings of a new constitutional ideology.”²⁵ During the 1968 election, Douglas appeared as the defender of Quebec nationalism against the anti-nationalist Trudeau.²⁶ After the 1968 election, the NDP was backtracking from the notion of ‘special status.’ The party had come to the conclusion that its position was not attracting votes in Quebec while it proved unpopular in Canada outside Quebec. Trudeau's vision of individual rights, pan-Canadian bilingualism and official multiculturalism pushed the ‘two nations’ concept off the political landscape in Canada outside Quebec.²⁷

²⁴ *Ibid.*, 90-91.

²⁵ Peter H. Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign People?* Second Edition. (Toronto: University of Toronto Press, 1993), 79.

²⁶ Morton, 83-84; McRoberts, 52.

²⁷ McRoberts, 74-76; Russell, 80.

It could not be quietly dropped by the NDP. The left-wing Waffle within the party was developing its own formulation of the two nations concept.²⁸ In 1969, the Waffle Manifesto declared that:

there is no denying the existence of two nations within Canada, each with its own language, culture and aspiration. This reality must be incorporated into the strategy of the New Democratic Party. A united Canada is of critical importance in pursuing a successful strategy against the reality of American imperialism. Quebec's history and aspirations must be allowed full expression and implementation in the conviction that new ties will emerge from the common perception of 'two nations, one struggle.' Socialists in English Canada must ally themselves with socialists in Quebec in this common cause.²⁹

After intense debate this manifesto was defeated at convention and a different resolution was passed that attributed "persistent sectionalism, most conspicuously in French Canada, but apparent throughout Canada" to disparities of income and opportunity.³⁰ This was a clear retreat from the two nations thesis and held out no room for trying to accommodate Quebec nationalism.

In 1971, convention passed a resolution that noted that attitudes had hardened in both Quebec and the rest of the country and the room for accommodation and compromise had shrunk. The convention debated and rejected a formal recognition of Quebec's right to self-determination. Rather, a resolution was passed that "the existence of our country depends on the free consent of all our people. The unity of this country cannot be based on force. However, the business of the NDP is to work for a united Canada, on a basis which will do full justice to all our people."³¹

²⁸ Patricia Smart, "The Waffle and Quebec," *Studies in Political Economy*, No. 32 (Summer 1990).

²⁹ Reprinted in Cross, 44.

³⁰ This from the so-called Marshmallow Resolution advanced by the party leadership in opposition to the Waffle Manifesto. Reprinted in Michael S. Cross, *The Decline and Fall of a Good Idea: CCF-NDP Manifestoes 1932-1969* (Toronto: New Hogtown Press, 1974), 47.

³¹ *Ibid.*, 91.

With the election of the Parti Québécois in 1976, the sense of crisis within the country deepened and according to NDP stalwart Desmond Morton, “As in most Quebec-Canada crises, the NDP seemed impotent, irrelevant, and slightly foolish.”³² In the circumstances, the NDP’s outreach to Quebec seemed even less viable in the rest of Canada. Still, in 1977, the party passed what it termed “The Positive Option,” or what might today be called ‘Plan A.’ There was little however, that genuinely reflected the demands of Quebec nationalism. It promised a strategy for economic growth, full employment and funding for social programmes. “We believe it essential for the federal Parliament to maintain sufficient power for effective national economic policies to build a fairer, freer Canada.” The plan did recognize Quebec’s right to “make their choice without coercion” while declaring that “we strongly support a federal Canada and are confident that the majority of Quebecers will decide to remain within Canada.” The party recognized some understanding of the importance of the language issue when it recognized that “the existence of a bilingual Canada depends on the presence of a Quebec where the language of work is French.”³³ However, the party was silent on how this was to be achieved or maintained.

Through the 1960s the NDP tried to come to grip with the rise of the new Quebec nationalism. By 1963 the party advocated a form of special status or asymmetrical federalism to accommodate the demands of Quebec and this policy was further developed in subsequent years. It would not, however, survive the 60s. The rise of Trudeau on one hand and separatism on the other increased the electoral costs for an English-Canadian party of seeking an accommodation with Quebec nationalism. Through the 1970s, the

³² Morton, 181.

³³ New Democratic Party of Canada, *New Democratic Resolutions 1977* (Ottawa, 1977), 36.

NDP presented a much more hesitant approach to Quebec. Even after the election of the PQ, with its promise of a referendum, the NDP offered a limited vision or renewed federalism. As journalists Sheppard and Valpy noted, by the time of the patriation debates, “For the most part, the party had given up trying to shape a Quebec policy.”³⁴ And, by that time, the constitutional agenda had become more complicated.

The Divided Party: Mega-Constitutional Politics

The constitutional debates of the 1960s had focused on the Quebec question and the perennial challenge of finding a domestic amending formula. The entrance of Pierre Trudeau on the federal political scene “gave birth to a rival nationalist ideology to that of Quebec nationalism.”³⁵ Central to Trudeau’s strategy was, of course, an entrenched Charter of Rights including language rights. On the backburner for years, an entrenched Charter now became a priority. During the 1970s, regional grievances, particularly in western Canada were added to the constitutional agenda.³⁶ Energy policy was at the heart of the matter, leading the western provinces to seek wider jurisdiction over resources. Along with the division of powers, the Senate was emerging as an important area of reform.³⁷ Quebec was no longer alone in seeking renewal of the federation to go alongside patriation.

These regional tensions were reflected with the NDP.³⁸ Alan Blakeney’s Saskatchewan government joined Alberta in opposition to federal energy policies, which the federal NDP supported. The federal party and the NDP provincial governments also

³⁴ Robert Sheppard and Michael Valpy, *The National Deal: The Fight for a Canadian Constitution* (Toronto: Fleet Books, 1982), 114.

³⁵ Russell, 79.

³⁶ *Ibid.*, 95.

³⁷ Russell, 96, 101. Romanow et al., 32-35.

³⁸ Morton, 159-160, 205-216. For a larger discussion of the rise of the ‘New West’ and the implications for the NDP see John Richards and Larry Pratt, *Prairie Capitalism: Power and Influence in the New West* (Toronto: McClelland and Stewart, 1979).

disagreed over Trudeau's wage and price controls in the mid-70s. With this background, the greatest tension emerged over the Trudeau's 1980 strategy of seeking a unilateral patriation and amendment of the constitution to include a new Charter of Rights and a new amending formula.

Without consulting his caucus, Broadbent quickly backed Trudeau on the condition that an amendment would be included to strengthened provincial control over natural resources. Broadbent's support for Trudeau was based on the party's historic positions and previous caucus discussions.³⁹ Members of the federal caucus attacked Broadbent's move for a number of reasons including the inadequate Charter, the unilateral process, and the politics of cozying up to Trudeau. Along with being angered by the unilateral process, Blakeney opposed an entrenched Charter of Rights on the grounds of Parliamentary supremacy and the conservatism of the judiciary. The debate over patriation became the highlight of the 1981 federal convention. Speaking in favour of the federal party's position were Broadbent, Dave Barrett, Bob White, Tommy Douglas and Stanley Knowles. Alan Blakeney, Roy Romanow, Grant Notley and Lorne Nystrom led the charge for the Saskatchewan position.⁴⁰ A resolution was passed noting that delegates differed over the appropriateness of the federal government's unilateral strategy.⁴¹

Broadbent's actions helped legitimize Trudeau's unilateral strategy, but the federal government was forced back to the negotiating table by the Supreme Court reference. Ultimately, Roy Romanow, then Saskatchewan's Attorney General, would

³⁹ Sheppard and Valpy, 113-115. See also Judy Steed, *ED Broadbent: The Pursuit of Power* (Markam: Viking, 1988), 243-253.

⁴⁰ Sheppard and Valpy, 133-134; Dennis Gruending, *Promises to Keep: A Political Biography of Alan Blakeney* (Saskatoon, Western Producer Prairie Books, 1990), 204.

⁴¹ New Democratic Party of Canada. *New Democratic Convention Resolutions 1981* (Ottawa, 1981), 20.

play a central role in devising the ‘Kitchen Accord’ that broke the constitutional deadlock and isolated Quebec. The federal NDP fought to expand the Charter of Rights. They resisted a clause in the Charter protecting property rights.⁴² Within the party, its support for the rights of Natives and women has entered party mythology. For example, in 1999, the party would congratulate itself that “the 1982 Constitutional package recognized Aboriginal rights only because the federal NDP Caucus succeeded in their fight to have Aboriginal rights included.”⁴³ Outside observers and those belonging to women’s groups and the First Nations have tended to be more cognizant of the role played by political mobilization outside the partisan sphere.⁴⁴ It is worth noting that the NDP did little to support popular participation in the constitutional amendment process.

The regional tensions continued to boil in 1983 at the federal convention. The 1983 convention in Regina was supposed to be a celebratory marking of the CCF-NDP’s fiftieth anniversary complete with a new manifesto. A western bloc under the leadership of Blakeney, Notley and John Richards produced their own manifest, the “June 22nd Statement of Principles” which advocated decentralization, recognized Quebec’s right to self-determination and advocated an incomes policy to tackle inflation. Backroom maneuvering between the western bloc and the federal party leadership produced a composite document which became the New Regina Manifesto. The new manifesto dropped the references to the social contract but included the other main elements of the western based draft. It noted that:

⁴² Russell, 115.

⁴³ New Democratic Party of Canada. *Social Democratic Forum on Canada’s Future*. Adopted by the National Convention of the New Democratic Party of Canada August, 1999, 20.

⁴⁴ For an account of women’s constitutional activism in Canada, see Alexandra Dobrowolsky, *The Politics of Pragmatism: Women, Representation, and Constitutionalism in Canada* (Toronto: Oxford University Press, 2000).

Much has changed since the Regina Manifesto. Stronger provincial and local governments capable of realizing the important tasks of economic and social development have emerged...The only basis for change in the Canadian federation can be respect for its regionalism, and for its duality. We view the demand by Canadians to decentralize, where feasible, political authority as proof that Canadians want to participate more directly in the political decisions that affect their lives.⁴⁵

This compromise saved the party from another emotional debate at convention, but it did little to actually change the strategy or platform of the federal party which remained wedded to the notion of a strong central government directing the economy and enforcing national standards for social programs. The rise of regional grievances in the west and within the western sections of the NDP had little impact upon the federal party.

Instead, the NDP was soon focusing again on Quebec. The March 1987 federal convention was held in Montreal and the party took the opportunity to launch its Quebec strategy.⁴⁶ Delegates passed a resolution recognizing Quebec's 'unique' status and the Quebec National Assembly's special responsibilities for the French language.⁴⁷ The NDP would quickly get a chance to demonstrate its support for Quebec's demands. Later in 1987, the First Ministers reached agreement on the Meech Lake Accord. Having learned a lesson from the patriation debate, Broadbent took greater care to build a consensus in the party before supporting Meech. Initially, the Meech Lake Accord had widespread support within the party, with all provincial sections except Quebec endorsing the Accord.

Some voices of opposition quickly began to emerge. BC MP Ian Waddell expressed concern about Aboriginal and Women's rights and the weakening of the

⁴⁵ Reproduced at <http://www.saskndp.com/history/1983.html>

⁴⁶ Claude Denis, *False Hopes: The New Democratic Party of Canada in Quebec in the 1988 Federal Election*. PhD Thesis, Department of Sociology, University of Toronto, 1994, 79.

⁴⁷ Ian McLeod, *Under Siege: The Federal NDP in the Nineties* (Toronto: Lorimer, 1994), 68.

federal government. Audrey McLaughlin won a 1987 by-election in the Yukon on an anti-Meech Lake platform. Her opposition was based on the lack of attention to the north and need for unanimity for the territories to gain provincial status. Within the party there were also rumblings of concern about the distinct society clause. In Manitoba the only NDP government in the country was in trouble and under intense pressure to reopen the Accord. Pawley had been one of the original signatories of the Meech Lake Accord but his opposition to the Free Trade Agreement led him to protest by refusing to push ahead and quickly ratify Meech.⁴⁸ In March 1988, the Manitoba NDP convention considered an anti-Meech Lake Accord resolution. Pawley managed to avoid this through the passage of a motion promising meaningful public consultations.⁴⁹ Shortly thereafter the Pawley government was defeated in the legislature, leading to his resignation, the selection of Gary Doer as the new party leader and the election of a Conservative minority government under Gary Filmon. NDP MLA Elijah Harper would be central to the final death of Meech, as he protested against the lack of attention to Native issues.⁵⁰

The 1988 federal election was dominated by the Canada-US Free Trade Agreement with scarcely a mention of the proposed constitutional amendment. Unfortunately for the NDP, Quebec's language politics would raise their head during the campaign. Following a passing reference by Broadbent in the French language debate on the acceptability of the notwithstanding clause, a group of seven NDP candidates from Quebec pointed out that in supporting a 'distinct society' for Quebec, the NDP

⁴⁸ Patrick Monahan, *Meech Lake: The Inside Story* (Toronto: University of Toronto Press), 150.

⁴⁹ *Ibid.*, 150-151.

⁵⁰ Russell, 151-152.

recognized that Quebec's language laws took precedence over the Charter.⁵¹ This was roughly the federal party's position but it caused an immediate media storm. A group of Montreal candidates issued a counter statement on the NDP's support for English language minority rights, while Broadbent tried to brush off the controversy.⁵² A week later when confronted with more questions, Broadbent commented that he was not in a position to assess the necessity of Bill 101.⁵³ Broadbent's vague and elusive response pleased few in or outside of Quebec.⁵⁴

Within the English Canadian left at large and within the NDP, the results of the 1988 election reduced sympathy for Quebec. Not only had the NDP's efforts come to naught, but Quebec had overwhelmingly elected Tories enabling Mulroney to form another majority government and proceed with the FTA. Then in December 1988 the Supreme Court struck down provisions of Bill 101. The decision of the Quebec government to invoke the notwithstanding clause in passing a revised sign law only turned up the heat. The Manitoba NDP supported the withdrawal of the bill to ratify the Accord from the provincial legislature.⁵⁵ The NDP's Federal Council demanded changes to the Accord. As the party sought a replacement for Broadbent, the two leading candidates, Audrey McLaughlin and Dave Barrett were both opposed to Meech. At the leadership convention the party voted to support Quebec's five demands but sought to reopen the deal to protect women and aboriginal people, remove the need for unanimous

⁵¹ McLeod, 69; Denis, 176-177; Graham Fraser, *Playing for Keeps: The Making of the Prime Minister, 1988* (Toronto: McClelland and Stewart, 1989), 394-398.

⁵² McLeod, 69-70.

⁵³ Denis, 129-130, Fraser, 417-418.

⁵⁴ Alan Whitehorn, "The NDP Election Campaign: Dashed Hopes," in Alan Frizzell, Jon H. Pammett and Anthony Westell, ed., *The Canadian General Election of 1988*. Ottawa, Carleton University Press, 1989, 50-151. See also Peter Maser, "On the Hustings" in *Ibid.*, 70-71.

⁵⁵ Denis 242. Monahan 162-163.

support for the territories to become provinces and to ensure national standards.⁵⁶ As a result, in the words of Claude Denis, “the NDP was thus turning its back on the outlook it had promoted at its 1987 Montreal convention.”⁵⁷ The strategy of enthusiastically reaching out to Quebec was officially over. Meech would soon be dead, with NDP MLA Elijah Harper playing a key role in the Manitoba legislature on behalf of Native concerns.

By the fall of 1991, “with the NDP in power in three provinces (Ontario, British Columbia, and Saskatchewan) and in a position to block any constitutional amendments the constitutional agenda of the left in English Canada could not be ignored.”⁵⁸ Of course, the constitutional agenda of the left was largely undefined.⁵⁹ During the post-Meech constitutional crisis as the country prepared for another round of negotiations, the NDP tried to develop its constitutional vision. The 1991 convention developed a set of principles but they did not move beyond generalities.⁶⁰ The federal party promoted the use of a constituent assembly, the right to aboriginal self-government and the inclusion of a social charter. The party supported recognition of Quebec as a distinct society while defending national standards and the federal spending power. It recognized Quebec’s right to self-determination. The party reaffirmed its longstanding commitment to abolish the Senate, but noted that “we recognize the need for new federal institutions which will give provinces, territories and regions a democratic voice.” The resolution provided no

⁵⁶ McLeod, 70.

⁵⁷ Denis, 245.

⁵⁸ Russell, 174.

⁵⁹ For the role of the NDP in the Charlottetown negotiations, see Morley, “Federalism and the New Democratic Party,” and John Richards, “The NDP in the Constitutional Drama,” *Canada: The State of the Federation 1992*, ed. Douglas Brown and Robert Young (Kingston: Institute of Intergovernmental Relations, 1992).

⁶⁰ Terry Morley, “Federalism and the New Democratic Party,” *Parties and Federalism in Australia and Canada*, ed. Campbell Sharman (Canberra: Federalism Research Centre, 1994), 65.

further details on such institutions but did vow to “investigate a full range of democratic alternatives for reform of the electoral process including proportional representation,”⁶¹

During the lead up to the Charlottetown Accord, the federal party and the three provincial governments had different agendas. Bob Rae’s constitutional priorities were Aboriginal self-government and the social charter.⁶² The BC and Saskatchewan governments were generally supportive of Aboriginal self-government but they were both feeling opposition within their provinces. They were also sceptical of the social charter. The priority for the BC government was increased economic powers for the provincial governments.⁶³ Saskatchewan backed the demand for a triple-E Senate. BC wanted equal regional representation, with BC being one of five regions. Ontario and Ottawa were opposed to the triple-E Senate, aware of the difficulty of selling this to Quebec.

The NDP did have some influence on the process and the form of the Charlottetown Accord. The federal NDP successfully pushed for a series of regional conferences on different components of the federal government’s proposals. These conferences were widely seen as successes, in part because they ended up conciliatory in tone. The Halifax conference on the division of powers saw a push for asymmetrical federalism, though this was not reflected in the Accord. Lorne Nystrom from the federal caucus and the NDP Premiers fought against entrenched property rights, changes to the Bank of Canada mandate and internal trade rules.⁶⁴ The federal party and Rae could

⁶¹ New Democratic Party of Canada, *Resolutions Reference Supplement* (Ottawa, 1991), 32.

⁶² Russell, 196-197. For Rae’s reflections on Charlottetown, see Bob Rae, *From Protest to Power* (Toronto: Penguin, 1996), 200-224.

⁶³ For the BC position see Mike Harcourt with Wayne Skene, *A Measure of Defiance* (Vancouver: Douglas and McIntyre, 1996), 76, 83-85.

⁶⁴ McLeod, 74-75.

support a degree of asymmetry but Harcourt and Romanow were strongly opposed and supported the notion of provincial equality in terms of legislative powers.⁶⁵

With three provincial NDP governments on side, it would have been difficult for the federal party to be less than supportive. The day after the Accord was signed it was endorsed by the NDP's Federal Council.⁶⁶ A week later the caucus decided to join the national campaign alongside Brian Mulroney to sell the Accord. As described by Ian McLeod, "this established the NDP as junior partner alongside the older parties. Hundreds of party members wrote and telephoned to condemn the Yes committee, calling it an elite attempt to hijack the people's right to decide."⁶⁷ The consensus within the party in favour of the Accord quickly fell apart. The National Action Committee on the Status of Women and its president Judy Rebick joined the No forces, giving voice to left-wing opposition to the Accord in English-speaking Canada.⁶⁸ Meanwhile, the Reform Party's Preston Manning rode a wave of anti-Mulroney, anti-establishment and anti-Quebec sentiment to oppose the Accord.

The results of the 1992 referendum demonstrated that the party has positioned itself on the less popular side of that debate. More significantly, the NDP was perceived as having joined with the other establishment parties, losing its claim to be a protest or populist party. Not only was the Accord unpopular among the general public, but it proved unpopular with NDP supporters. Despite the support of the federal NDP and three

⁶⁵ Morley, 68.

⁶⁶ McLeod, 77.

⁶⁷ McLeod, vii.

⁶⁸ For reflections on NAC's role see Judy Rebick, *Imagine Democracy* (Toronto: Stoddart, 2000), 11-24.

NDP provincial governments, approximately 58 percent of NDP supporters voted against the accord.⁶⁹

The NDP's support for the Charlottetown Accord has been widely cited as a significant factor in the party's electoral collapse in 1993. Shortly thereafter former Manitoba NDP Premier Howard Pawley noted that:

The rejection by the Canadian public of the Charlottetown Accord, harmed the NDP more than any other party because we were seen as part of the elite of political, business, media and labour leaders...The NDP is seen as too anxious to accommodate itself to the elite, and worse still, not offering anything different, we are no longer seen as an anti-establishment party.⁷⁰

From the NDP's best electoral result in 1988, the NDP crashed to its worst electoral results in 1993. Particularly in western Canada, the NDP lost votes to the Reform Party which presented an angry, populist and anti-Quebec message.⁷¹

The Charlottetown referendum pushed mega-constitutional politics off of the national political agenda. Even in the face of the 1995 Quebec referendum, nobody could credibly promise renewed federalism. For its part, the NDP fell back to the position that economic growth and social programs could heal all wounds. In 1994, before she became the party leader, Alexa McDonough made the case that progressive economic and social projects including a national childcare program and a full employment strategy would

⁶⁹ Lawrence Leduc and Jon H. Pammett, "Referendum Voting: Attitudes and Behaviour in the 1992 Constitutional Referendum," *Canadian Journal of Political Science*, 28:1 (March 1995), 26.

⁷⁰ Howard Pawley, "Charting the Course for New Jerusalem," *As We Come Marching: People, Power and Progressive Politics*, ed. Steven Langdon and Victoria Cross (Windsor: Windsor Works Publishing, 1994), 181.

⁷¹ In the 1993 election approximately 14 percent of the NDP's 1988 vote went to the Reform Party. A larger group, 27 percent went to the Liberals, while only 26 stayed with the party. Jon H. Pammett, "Tracking the Votes," *The Canadian General Election of 1993*, ed. Frizzell, Jon H. Pammett and Anthony Westell (Ottawa: Carleton University Press, 1994).

provide a “positive unifying force.”⁷² By 1997 however, the NDP was again recognizing that “Quebec is different from the other provinces,” and arguing that this should be entrenched in the constitution.⁷³ As well, the NDP declared that “we respect the right of Quebecers to democratically determine their future,” but that the party believes Quebec should remain part of the federation.⁷⁴

To flesh out this apparent renewed interest in rethinking federalism, the NDP’s Social Democratic Forum on Canada’s Future was launched in 1997 and its report adopted in 1999.⁷⁵ The report was presented as a major rethink of the party’s policy toward federalism and the constitution. Dick Proctor, a Saskatchewan MP and co-chair of the Forum admitted that “my own position is that we have been marginalized on constitutional issues in the past. This document updates our position and...will be our position in any future round of constitutional discussions.”⁷⁶ The party now calls its approach “responsive federalism” and applauds the direction of the Social Union Framework Agreement (SUFA) agreed to by the Prime Minister and the premiers of all the provinces except Quebec. According to the NDP, this represents an agreement to cooperate on social policy. The report agrees that Canada-wide standards should be developed cooperatively by the two levels of government, rather than being imposed by the federal government. This limits but does not eliminate the federal government’s spending power in areas of provincial jurisdiction.

⁷² Alexa McDonough, “Responses to ‘thinking about self-determination’” *Canadian Dimension*, 28:5 (Oct-Nov 1994), 6.

⁷³ New Democratic Party of Canada, *A Framework for Canada’s Future: Alexa McDonough and Canada’s NDP* (Ottawa, 1997), 31.

⁷⁴ *Ibid.*, 32.

⁷⁵ New Democratic Party of Canada. *Social Democratic Forum on Canada’s Future*. Adopted by the National Convention of the New Democratic Party of Canada August, 1999.

⁷⁶ From Judy Rebick, “Bracing for a Bold Left Turn,” <http://www.cbc.ca/news/viewpoint/columns/rebick/rebick990827.html>.

The report recognized that Quebec had been left out of the SUFA and that it was unacceptable to Quebec in its present form. To address this issue the NDP argues that Canada must recognize Quebec's special status and accept asymmetrical federalism. "Responsive federalism must include a recognition, enshrined in the constitution, of Quebecers as a people."⁷⁷ As a result, Quebec should have the right to opt out of federal programs and receive financial compensation. Despite this position, the NDP argues that the current provisions of the Canada Health Act are sacrosanct. As well, a Social Rights Commission and an Accountability Panel would be created to monitor Canadian's social rights. These recommendations suggest that the NDP would still seek limits on Quebec's autonomy in areas of provincial jurisdiction.

In a rare move, the report also begins a wider discussion of democratization. It advocates proportional representation, abolition of Senate, state-funded campaign financing and perhaps even Canadianizing the head of state. It acknowledges that it found some interest in replacing the Senate but could find no consensus on a particular model and there was no support for a triple-E Senate.

Having recognized Quebecers as a people and reiterated their right to self-determination, the NDP was almost immediately faced with a new debate on the collective rights of Quebecers. During the winter of 1999-2000 the Chrétien government's Clarity Act divided the NDP. The NDP caucus was initially caught off guard by the introduction of the bill and McDonough criticized the PM for not consulting with their "parliamentary allies."⁷⁸ Finally, the caucus decided to support the bill in

⁷⁷ New Democratic Party of Canada. *Social Democratic Forum on Canada's Future*, 22.

⁷⁸ Laura Eggertson and Valerie Lawton, "An avalanche of anger but PM wins praise, too," *Globe and Mail*, December 11, 1999 and William Walker and Tim Harper, "Liberals catch opposition parties napping," *Globe and Mail*, December 14, 1999.

principle but to seek a number of amendments in order to defend the rights of Aboriginal peoples, to reduce the role of the Senate in the process, and to specify that a fifty percent plus one majority was sufficient. Ultimately, the NDP's amendment to include the Aboriginal peoples was included but the Senate retained its role and the notion of a clear majority remained undefined. Meanwhile, the party's Federal Council asked the caucus to oppose the bill. Despite this, McDonough and most of the caucus supported the bill, with two members voting against it on third reading.

McDonough and Bill Blaikie argued in the House of Commons that the Clarity Act recognized Quebec's right to self-determination in Canadian law. However, the role given to the federal government contradicts the notion of self-determination within Quebec.⁷⁹ The caucus position was not only contrary to the notion of internal party democracy but it was arguably contrary to party policy.⁸⁰ This didn't prevent some New Democrats from fully embracing the Clarity Act, which has proven very popular in Canada outside Quebec. Blaikie applauded the Clarity Act as a highlight of Chrétien's legacy upon the latter's retirement.⁸¹ Gary Doer, an early supporter of the bill, criticized the new Prime Minister Paul Martin for appearing less than fully supportive of the Clarity Act.⁸² The NDP's support for the Clarity Act certainly dismayed many Quebec

⁷⁹ In 1971, when the NDP hinted at the right to self-determination, it also pointed out that "many people in the other parts of Canada feel that they, too, should have a voice in the outcome of Quebec's deliberation." New Democratic Party, *New Democratic Policies 1961-1976*, 92.

⁸⁰ On the other hand, the Social Democratic Forum had noted that the Supreme Court ruling, which provided the basis for the Clarity Act, "echoed long-standing NDP policy." Furthermore, "Although the NDP opposed reference to the Supreme Court... the court's judgement did in fact reinforce the long-standing NDP view that the future of Quebec within Canada is ultimately a political question and not a legal one." New Democratic Party, *Social Democratic Forum*, 8, 23.

⁸¹ Blaikie's tribute to the PM and the Clarity Act can be found on his website at: <http://www.billblaikie.ca/ndp.php/speech2003/390>

⁸² For his support of the Clarity Act, Gary Doer, *Policy Challenges for the New Century: The Manitoba Perspective*. The 2000 Donald Gow Lecture, School of Policy Studies, Queen's University. April 28, 2000. For his critique of Martin, Joan Bryden, "Doer speaks out on PM's Quebec stance," CNEWS, February 15, 2004.

nationalists including those within the Quebec section of the party. It certainly diffused the goodwill generated by the party's recognition of Quebecers as a people. It also reinforced the dominance of the Stéphane Dion-Jean Chrétien-Preston Manning, 'Plan B' approach toward Quebec within the rest of Canada. Once again, the NDP fell into line behind the government of the day on constitutional issues.

Conclusion

The federal NDP's constitutional confusion results from a lack of vision, electoral considerations and organizational weaknesses. The NDP has never really had a proactive strategy of developing a social democratic vision for Canada's constitution and political institutions. The party has made insufficient efforts to deal with these issues. Where the issues have been addressed, the party has failed to promote them. As mega-constitutional negotiations were thrust on the national agenda, the NDP could only take a reactive stance. Trudeau's constitutional project has been immensely popular in Canada outside Quebec. Individual rights, provincial equality and, to a lesser extent, a strong central government and have become widely-held constitutional principles in English-speaking Canada. In these circumstances, magnified by the structural weakness in the federal party, the NDP has been divided over constitutional issues and unable or unwilling to present a different vision. The result has been confusion and a strong tendency to support the federal government's initiatives.

In the 60s the NDP made a sincere effort to come to grips with the changes taking place in Quebec. The party's continuing belief in a strong central government meant that the party's outreach to Quebec was always full of contradictions, but it was still significant. The success of Trudeau's offensive against Quebec nationalism meant that

the NDP's 'two nations' approach was undermined within English-speaking Canada. Electoral considerations, not least in western Canada, which has always provided the bulk of NDP seats, have meant that the NDP has often shied away from publicly advocating its official policy toward Quebec. As a result it is hard to tell where the party really stands, a position that pleases no one. As the party's Renewal Report admitted in 2001:

All parties must grapple with the complex issue of Quebec's unique place in the federation. From the perspective of Canadians living outside Quebec, the Party's positions on this issue are seen as ambiguous at best. Many of those who support the NDP from within Quebec have concluded that the Party has abandoned interest in the province.⁸³

The NDP like much of the left in Canada outside Quebec continues to be in favour of a strong central government. While this belief in centralism should not be beyond critical review, it need not prevent the party from recognizing the specific reality of Quebec. The party has tried to square this circle by advocating asymmetrical federalism, with varying degrees of enthusiasm, since the mid-1960s. This policy was explicitly reinforced by the Social Democratic Forum in 1999 and seems to have Jack Layton's support. There are obvious political challenges involved in advocating asymmetrical federalism. The followers of Trudeau who support a strong central government and the followers of Preston Manning who support greater decentralization agree that all the provinces must have equal powers. To support or even to explain asymmetrical federalism is to swim against the current of present public opinion. There are also specific technical problems, such as figuring out the impact upon the role that Quebec MPs would play in the House of Commons.

⁸³ New Democratic Party of Canada. *What We Heard: The NDP in Renewal*. Report of the Steering Committee of the National Discussion on the Future of the New Democratic Party of Canada. October 2001, 55.

There are solid reasons for challenging the notion of provincial equality and methods for addressing the specific institutional challenges. It is worth noting that the list of supporters of asymmetrical federalism among Canada's political theorists and political scientists is long and illustrious. However, the NDP has neither developed its view of asymmetrical federalism nor attempted to popularize it. Even within the party membership it is doubtful that many are familiar with the concept. This is symptomatic of the party's general malaise and organizational weakness during the 90s and going back much earlier. The party has no national forum for discussion and debate, such as a national periodical. The riding associations and national conventions certainly do not provide the space. The party has not been able to adequately tap into the academic community for ideas, be it on the constitution or the economy.

Despite the widespread belief in the rest of Canada, Quebec nationalism is neither dead nor dying. It remains very much a fact of Quebec politics. The NDP can not simply wish to ignore it. There is an expectation, or at least hope, within the party that it will receive greater support in Quebec during the next federal election. Current NDP leader Jack Layton, bilingual and born in Quebec, has sought to boost the party's profile and popularity in Quebec. During the leadership race, he criticized the caucus support for the Clarity Act.⁸⁴ Layton has spoken in favour of asymmetrical federalism. On the issue of Quebec, he will be forced to perform quite a balancing act both in the country at large, and in his own party. Potential contradictions are not hard to imagine. After winning the leadership, Layton told the press he had no position on Quebec's language laws⁸⁵ and he

⁸⁴ Glenn Wheeler, "Hometown Edge: Layton's urban ease steals the show from veteran prairie MP," *NOW Magazine*, August 29, 2002.

⁸⁵ Elizabeth Thompson, "Layton says NDP votes can only go up in Quebec," *Montreal Gazette*, February 22, 2003.

has been vague regarding the suitability of sovereignist candidates running under the NDP banner.⁸⁶ In the upcoming federal election, Layton might be expected to discuss his thoughts on the Clarity Act among other issues related to Quebec's place in the federation. Considering his personal position, the divisions with the party, and present public opinion in English-speaking Canada, the Quebec question remains a potential can of worms.

Despite all the contradictions, the party has at least tried to take some steps to address Quebec nationalism. Somewhat surprisingly, it could be argued that the federal party has not really tried to respond to western alienation in a meaningful manner. Broadbent did take up the demand of strengthening provincial jurisdiction over natural resources, but in general the support for a strong central government has fostered resistance to broadly-based decentralization. The greater oversight has been the lack of attention to the institutions of intrastate federalism. The one consistent institutional demand from western Canada has been for Senate reform. The CCF-NDP has always advocated abolishing the Senate. This policy is periodically re-stated or endorsed by convention delegates. Looking at the present institution, abolition makes clear democratic sense. However, it is also an overly simplistic position that ignores the role of upper houses in federations and the very real pressures within the country for a reformed Senate. The NDP has abdicated any responsibility for developing policies to reform Canada's federal political institutions to better reflect regional realities. The CCF-NDP's longstanding policy on the Senate is really a non-policy.

The NDP has for the most part ignored the question of how to reduce regional tensions within the Canadian polity. Some critics have noted that Canada's first-past-the-

⁸⁶ Andrew Chung, "Quebec a difficult hill for NDP to climb," *Toronto Star*. April 26, 2003.

post electoral system has often produced (or reinforced) a highly regionalized party system.⁸⁷ In the late 70s, the federal government's P  pin-Robarts Task Force on Canadian Unity advocated electoral reform as a method of addressing the regionalized party system in the House of Commons.⁸⁸ At the time, the NDP was exploring this idea. The party proposed the addition of one hundred extra seats to the House to be elected through proportional representation as an alternative to a reformed Senate.⁸⁹ Despite Broadbent's support, PR was rejected at the 1981 federal convention.⁹⁰ In the last few years the party has come to endorse PR and develop a specific policy on electoral reform. PR is no panacea, but perhaps more important than this specific reform is the possibility that this is the beginning of some serious discussion of democratization and institutional reform. It also offers the possibility of discussing how Canada's regions or provinces are represented within central political institutions.

Throughout its history the CCF-NDP demonstrated little interest in other constitutional issues. It is perhaps surprising that the NDP has never made democratizing our political system a priority. This has been a historic weakness of social democratic strategy, not only in Canada. There are serious limits to the extent to which any government can hand out reforms from above. A government interested in significant reforms needs a 'different kind of state'⁹¹ that facilitates participation and develops other social forces as a counter weight to forces of conservatism both within the state itself and

⁸⁷ The classic, though now dated, presentation of this argument is Alan C. Cairns, "The Electoral System and the Party System in Canada, 1921-1965," *Canadian Journal of Political Science*, 1:1 (Fall 1968).

⁸⁸ Henry Milner, "The Case for Proportional Representation" in Henry Milner, ed., *Making Every Vote Count: Reassessing Canada's Electoral System* (Peterborough: Broadview, 1999), 37. Donley Studlar, "Will Canada Seriously Consider Electoral Reform? Women and Aboriginals Should" in *Ibid.*, 124.

⁸⁹ Romanow et al., 11; New Democratic Party of Canada. Proportional Representation Committee. *Report to Convention*, January 24-26, 2003, 2.

⁹⁰ *Ibid.*, 2. Studlar, 125.

⁹¹ Gregory Albo, David Langille and Leo Panitch, ed. *A Different Kind of State? Popular Power and Democratic Administration* (Toronto: Oxford University Press, 1993).

within the social and economic realm. On a more mundane level, this lack of a focus on democracy would also become an electoral liability. As David Laycock had noted, “Since the mid-1970s, the social-democratic left in Canada has offered few thoughtful responses to citizens’ alienation from democratic processes...During the 1990s, the NDP did not come up with any substantive ‘left populist’ alternatives to Reform’s right-populist proposals for direct action.”⁹² Ideas about participatory democracy were advanced by the Waffle and later the New Politics Initiative. The defeat of these left-wing currents hindered creative thinking about democracy within the party.

The greatest challenge for the NDP and the broader left would be to try and develop an outline of how these various factors fit together. How do you recognize Quebec, soothe Western alienation, recognize the right to Aboriginal self-government and democratize the state all at the same time? This is, of course, similar to the challenge that bedevils all participants in Canada’s constitutional debates. The social democratic left in Canada needs to face up to this challenge, if not to provide all the answers, but to at least participate in a more coherent and cohesive fashion. The left may just find that constitutional debates need not be such a minefield and the country may just find a path out of its current constitutional malaise.

⁹² David Laycock, *The New Right and Democracy in Canada: Understanding Reform and the Canadian Alliance* (Don Mills: Oxford University Press, 2002), 29.