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**An engaging account of constitutional talks –
UNITED WE FALL: The Crisis of Democracy in Canada**

Review by BRYAN SCHWARTZ

SUSAN Delacourt is an accomplished veteran of the constitutional beat for The Globe and Mail. In 1990, she played a key role in conducting the "Roll of the Dice" interview with prime minister Brian Mulroney, and wrote the lead story about it.

United We Fall is her account of the latest round of constitutional talks, the so-called Canada Round that led up to the 1992 national referendum. The "we" are the politicians, and the crisis is the breakdown of trust between politicians and the public. The book does not dwell on the latter. Delacourt writes about what she knows best - the high rollers.

Her book, a product of interviews with senior politicians and bureaucrats during the Canada Round and afterwards, is replete with never-before-told tales from the councils of state. Delacourt recalls an interview with Senator Lowell Murray in his office, when he was the lead federal minister on the Meech Lake file. Asked what he would do about the recent election of Clyde Wells as premier of Newfoundland, he replied "nothing," and continued to toss little pink paper airplanes. As for Wells, a "remarkable" number of Canadians sent Wells a copy of Kipling's poem *If*, and he would "keep the verse close to him as he went through the national unity business."

In describing a constitutional negotiation, the most natural structure is chronological. Readers can then appreciate the overall logic and suspense of the story, as various positions are advanced and then abandoned, compromised or adopted. United We Fall is composed instead around portraits of leading figures, like Bob Rae, Ovide Mercredi and Robert Bourassa. Despite its inevitable disadvantages, the structure is well suited to Delacourt's special knowledge and insight, and a thumbnail chronology at the end helps supply the overall plot.

In the introduction, Delacourt discloses her own philosophy about the negotiations. She extols the virtue of "respect," of listening to divergent views and accommodating even those which you cannot personally endorse. She extends this spirit to her own narrative: apart from Mulroney, the intellect, character and motives of her leading figures are portrayed in a manner that is consistently sympathetic and, at times, generous.

The book identifies some of the basic philosophical disputes at play, but stops well short of a detailed analysis of the content of the Charlottetown accord. Occasionally, it seems to underestimate the importance of "details." When Clyde Wells was asking hard questions about the draft amendments on the Senate, he was not, contrary to Delacourt's view, being more of a "lawyer" than a "politician." He was concerned, among other things, about the extent to which the Senate could delay legislation and thereby exercise some real influence over public policy.

Delacourt's advocacy of respect for competing viewpoints is not trivial. The recent history of Canada would have been happier if that attitude had been adopted on all sides. Still, in constitution-making, being well-intentioned and flexible is not good enough; if you are going to dictate to future generations, you had better look very hard at the content of your position. Joe Clark may be a decent and accommodating human being, but looking at the substance of the deal, how much vision or gumption did he show as an advocate of federal authority? Bob Rae's enthusiasm for group rights, especially those of aboriginal peoples, is no doubt sincere. But did the positions he advanced show an adequate concern for individual rights within groups? Or citizens? The Charlottetown accord failed in part because, on close study, some Canadians found it more balkanizing than unifying.

Delacourt touches on some of the causes of the "crisis" of trust in Canada as she sees it. They include Mulroney's partiality toward Quebec, his lack of respect for differing viewpoints, the failure of the opposition parties to express the diversity of opinion that existed in Canada, and the use of government largesse to co-opt dissent.

United We Fall seems to take for granted, however, that the whole constitutional game was a necessary and noble pursuit. But many Canadians thought that the constitutional "crisis" was largely invented and fuelled by prime minister Mulroney. Once governments are thrown into a "negotiation" mode, they tend to play games - to bluster, bluff and manipulate - rather than to discuss problems candidly. Constitutional amendments have a sacred aura and are practically irrevocable, so people view them with heightened emotion and anxiety. It is often better to lower the stakes and to make changes incrementally, through measures that are easily revised in light of experience.

For better or worse, though, the constitutional game was played yet again and United We Fall is an engaging account of the insiders' story. The style is brisk, the revelations fresh, the analysis is thought-provoking. It deserves a wide audience today and the attention of historians in the future.

Bryan Schwartz is a professor of law at the University of Manitoba, and the author of two books about the last round of constitutional negotiations.