

**Foreword** *by Mark Hume*

Rafe Mair first began to ponder the legal application of the Constitution of Canada as a young law student at the University of British Columbia. That was in 1956, and as he writes in this political retrospective, which is part memoir, “it seemed such a dead document” that it made him roll his eyes in tedium.

Little did the brash, opinionated soon-to-be lawyer realize that he would go on to have a distinguished political career and later work as a popular broadcaster who would focus intently on the Constitution and the debates swirling around it.

In 1975, a few years after he moved his law practice to Kamloops, Mair ran for office and won a seat for the BC Social Credit Party, which was then led by Bill Bennett.

Although Mair’s outspokenness rankled many, Bennett liked his no-nonsense approach and promptly gave him a cabinet post. He would hold weighty portfolios, including health and education, but early in his term Bennett also loaded on to Mair’s shoulders the responsibility of representing BC’s interests in an intense national debate then emerging over the patriation of the Constitution of Canada. He held the post of Constitution Minister from 1976 until 1980.

After his political career ended Mair became a towering figure in the world of talk radio, who was known as “the mouth that roared” because of his scathing attacks on the powerful and privileged.

In his writings here he doesn’t spare himself that sharp tongue, noting that it was because of his own mouth that he lost out on the coveted new Ministry of Intergovernmental Affairs by unleashing an ill considered blast of vitriol on colleagues.

“I foolishly disqualified myself by an untimely and vituperative burst of temper in a Caucus meeting on the eve of the cabinet shuffle,” he writes, “and as Bennett ruefully explained, ‘You need the cooperation of all of your colleagues and right now they hate your guts!’”

The next year Mair retired from politics, but he soon was back in the spotlight debating Constitutional issues as a radio talk show host with CKNW. There in a broadcast booth that looked out over the city from a high rise office tower clad in black glass, he became a ratings giant and rallied the “No” forces to the Charlottetown Accord, which Prime Minister Brian Mulroney was then seeking to entrench through a national referendum.

Drawing on his past political experience involving the Meech Lake Accord, Mair became a daunting opponent for the establishment forces that were campaigning on the “Yes” side for the Charlottetown Accord.

At the time no other political commentator wanted to take the issue on (it was too complicated for the masses; too boring, most argued), and Mair had to overcome management critics at CKNW who thought making the constitutional debate a focus of his show would be a ratings killer.

Mair proved them wrong, with his listening numbers soaring as he turned his show into a daily pulpit for preaching against the Accord, which was supported federally by the Conservatives, the Liberals and the NDP, and which had the provincial backing of all ten provincial premiers.

It seemed like a done deal, with all the forces aligning behind “Yes,” except for the opposition of Preston Manning’s emerging Reform Party in Alberta, and Rafe Mair, who could be heard daily squawking about it over the airwaves.

The opposition might have seemed inconsequential at first, but Manning and Mair had read the public mood right and soon were forces to be reckoned with.

In one incendiary exchange Mair clashed on air with former Prime Minister Joe Clark, who had been dispatched to BC by Mulroney to shore up support for the “Yes” side and to slap down Mair.

“Joe did not look at all well when he entered my studio,” writes Mair of that incident. “His face was flushed and bloated, and his hands were shaking.” He would soon have reason to feel worse.

At one point Mair, who orchestrated his CKNW interviews with

the virtuosity of a master conductor, said that if the Charlottetown Accord was adopted, Quebec would use its veto to block BC from making changes to the Senate.

That would leave BC with no choice but “to use the Quebec ploy,” and threaten to secede because only by using such a blunt force threat could the province get what it wanted in a system that was weighted against it.

In other words, the Charlottetown Accord, he argued, would greatly weaken the unity of Canada, and not strengthen it.

“Rafe, you’re Wrong! Wrong! Wrong!” shouted Clark, leaning into the microphone.

“No, Joe, I’m Right! Right! Right!” an angry Mair bellowed back.

That emotional clip made national news, and Mair’s radio audience spiked upwards again. He had made the “dead” Constitution into a vital, important topic, and British Columbians were so engaged that whenever he opened the phone lines the calls poured in, hour after hour. To put it in language Mair might well use himself, the public was pissed – and Mair knew it while many seasoned politicians did not.

The BC government, however, steadfastly supported the Accord with then Premier Bill Vander Zalm telling Mair in 1991 that polls told him what the public wanted.

“From my radio perch, sensing the mood daily, I warned the government over and over that they were wrong,” he writes. “They laughed.”

In the end Mair was proved right, of course – British Columbia and six other provinces soundly rejected the Charlottetown Accord in the 1992 referendum.

End of story? Not according to Mair, who is worried now that the national fault lines exposed during both the Meech and Charlottetown crises never got effectively dealt with.

“The fact that both the Meech Lake Accord and the Charlottetown Accord failed scarcely means that they had no impact,” he writes. “To the contrary, their impact continues, and in my view, because the Central Canada elite has never understood the forces that

defeated them, they have left permanent emotional scars that are at the very root of Canada's national unity deficit."

After the national referendum on the Charlottetown Accord, "the country descended into silence," writes Mair, and politicians and the media shied away from dissecting the failure of the "Yes" campaign.

Constitutional fatigue set in, and subsequently a series of prime ministers declined to revive the issue, apparently feeling it was better off left alone.

But Mair argues that by failing to come to grips with the underlying structural issues that still exist in Canada, the future of the nation is at stake.

To get at that problem, he says, we need to change the way Parliament works. And that won't be easy because the establishment – read Ontario and Quebec – likes things just the way they are.

"If you believe, as the Pollyannas do, that all's well in this happy kingdom, you're reading the wrong book," Mair says.

He is hoping an old broadcaster's instinct for the public mood hasn't failed him and that Canadians still have a stomach for a debate on the way the country is governed. If you believe Canada needs to change and if you are wondering how that might be done, Mair has got an earful for you.

He always did have. All you have to do is tune in and turn up the volume, as Mair takes on a sacred topic nobody else seems to want to talk about.

He is an older lion now than when he was a broadcasting giant, but the roar hasn't left him. Vancouver, August 2017

— Mark Hume is a former national correspondent for the *Globe and Mail* and an award-winning BC author.