

MARITIME COOPERATION: A UNIQUE RUNWAY AND AN URGENT NEED TO TAKE OFF

The Hon. H. Wade MacLauchlan**

When I was a law student at the University of New Brunswick between 1978 and 1981, and later dean and professor of law at UNB during the 1990s, I did not envisage being invited one day to deliver the Viscount Bennett Lecture. It is an honour to be here today as the 2015 Viscount Bennett lecturer and to return to this wonderful lecture room where I have studied, taught and participated in moot courts. The honour is amplified by the presence of so many long-time friends and colleagues, and by the fact that this room is now named for our great friend and supporter, the late Mary Louise Lynch, Q.C.

For this Lecture, I have chosen to speak about *Maritime Cooperation*. This is a topic of longstanding personal and professional interest, with native roots in Prince Edward Island and significant periods of time as a law professor in New Brunswick and Nova Scotia. You might say that I am a Maritime patriot. My interest in the subject of Maritime cooperation has been stirred and fed by almost three years spent researching and writing the political biography of Alex B. Campbell, Prince Edward Island's longest-serving premier. Campbell was in office during an especially robust period of regional cooperation and institution-building in the 1960s and 1970s, including the establishment of the Council of Maritime Premiers.¹

My own career has evolved, with my becoming Premier of Prince Edward Island in February of this year. That role has included the opportunity to chair regional premiers' meetings, with further meetings to take place in the near future, and to deal at an interprovincial level on files including energy, health, the economy, immigration, transportation, education and other critical areas. In terms of Maritime cooperation, we are in a time of unprecedented opportunity, especially given shared political alignments and strong interpersonal chemistry among Premiers Brian Gallant, Stephen McNeil, myself and our recently-elected Prime Minister Trudeau. This will be the ultimate point of today's Viscount Bennett Lecture: that we are at a unique historical juncture that presents a critical opportunity to work together as a region. In doing so, we can build upon a long-standing community of interest, draw lessons from a history of cooperation, and address issues that are both chronic and existential.

The 2014 Report of the Nova Scotia Commission on Building Our New Economy adopted the title *Now or Never: An Urgent Call to Action to all Nova*

** The Hon H. Wade MacLauchlan is the Premier of Prince Edward Island as well as a former law professor and Dean of Law at the University of New Brunswick. The following article reflects Premier MacLauchlan's Viscount Bennett Lecture delivered at the UNB Faculty of Law in October 2015.—Eds.

¹ H Wade MacLauchlan, *Alex B Campbell: The Prince Edward Island Premier Who Rocked the Cradle* (PEI Museum and Heritage Foundation, 2014).

Scotians.² The Commission identified critical issues and a sense of urgency that pertain equally to our region as a whole. I characterize our current circumstances and alignment as a unique runway. Of course, a runway is only useful if there is a take-off. I will return later to this metaphor. There has never been a more propitious time for Maritime cooperation, nor has the need ever been more apparent and urgent. My message today will be grounded in both optimism and urgency. It might also be stated in terms of goodwill and necessity. I will argue that regional cooperation is imperative, *and* that it is natural.

Like most things that we might think of as “natural” in the realm of politics or public policy, regional cooperation is not easy. It does not and will not occur without dedicated leadership, together with follow-through when it comes to implementation. This will become apparent as we reflect on the lessons to be drawn from the history of Maritime cooperation.

This talk is structured to take a look at both the “background” of and the “prospects” for Maritime cooperation. The background consists of a shared community of interest, reinforced by historical attempts at cooperation. The prospects focus on both challenges and opportunities, underscored by a sense of urgency.

I. BACKGROUND

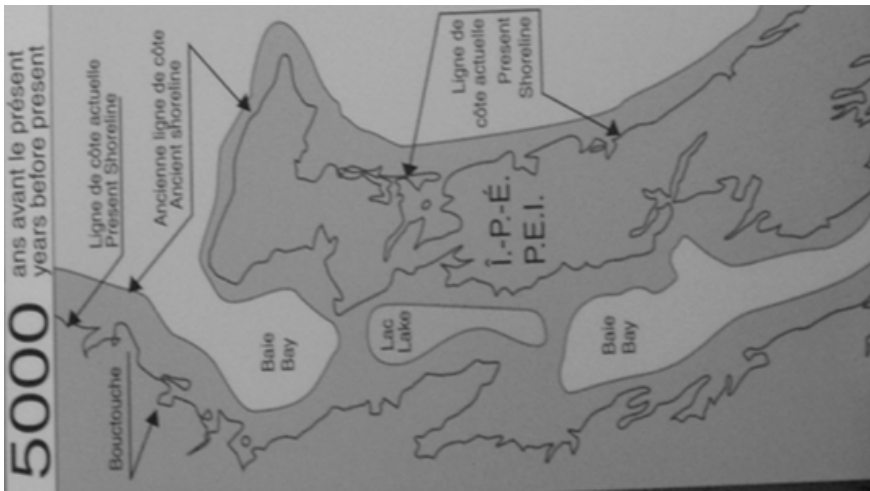
In looking at Maritime cooperation in terms of its history or background, we can make two main observations. The first is a theme that will recur throughout this lecture: that we share a community of interest within this region. Hold that thought—*A community of interest*.

The second main observation is that regional cooperation has been tried, in numerous formats and at several historical junctures. One of the greatest mistakes that we make in public affairs, and in our political commentary, is to approach things as if we are doing them for the first time. As if novelty is in itself a virtue. We do much better when we recognize our antecedents, and when we both honour and learn from them.

Let me take you through a series of snapshots that offer a tour d’horizon and that set the stage for how we think about Maritime cooperation. The first image is compelling. It comes from the Eco-museum at the Irving Dune Project in Bouctouche. It shows us that there was a time, only 5,000 years ago, which is not all that long in geophysical time, when the three provinces of Nova Scotia, New Brunswick, and Prince Edward Island were united by a substantial land bridge. In fact, it’s much more than a bridge.

² Nova Scotia, Commission on Building our Economy, *Now or Never: An Urgent Call to Action to all Nova Scotians* (Nova Scotia: Commission on Building our Economy, February 2014) online: <onens.ca/commission-report/>

Illustration 1
Maritime Land Bridge



Source: Taken from a panel at Irving Eco Centre, La Dune de Bouctouche, Saint-Édouard-de-Kent, New Brunswick.

This image reminds us that our first basis for connection is geographic, and ecological. It also calls to mind the adage that is attributed to many cultures around the world, “Paths are made by walking.” To have effective cooperation at the regional level, or for that matter in a community, it is imperative that we know each other and that we go out of our way to spend time together. Some of my clearest thinking in preparation for today’s lecture came during a Maritime vacation in late September of this year, when we spent time at Advocate Harbour, Nova Scotia and Cocagne, New Brunswick. That included exquisite opportunities to hike in Cape Chignecto Park and on trails surrounding Bouctouche. Hiking is good for both the mind and the body. Plus, in the case of these particular hikes, I was prompted to reflect on our geographic similarities and closeness within the Maritime region, as well as the imperatives and brevity of geological time.

That fall 2015 vacation included time and intensive discussion with great friends who think deeply about our region, such as Donald Savoie and Premier Brian Gallant, or graduates of this law school Dominic Leblanc and Aldea Landry. When it comes to Maritime cooperation, paths are also made by talking. We started our fall vacation in Halifax, at the Atlantic Film Festival. This is a reminder that our ties go beyond the physical or geographic. We share rich cultural ties, including the bonds, creativity and mutual awareness that come from making new culture. Community comes in many forms: urban, rural, cultural, economic, professional or interpersonal. The UNB Law School is a manifestation of Maritime community. Our view and self-image of the Maritimes, relative to the rest of Canada and the world, are integral to our approach to regional cooperation.

The next image is equally compelling: the Confederation Bridge (see next page). This project was considered to be one of Canada's top engineering achievements of the 20th century. I was one of approximately 10,000 people who ran across the Confederation Bridge the day that it opened. My mood was one of total celebration. There were tens of thousands of others who shared in that sense of celebration. I traveled to Cape Jourimain, New Brunswick that day with my good friend Don Dennison, who is on my mind today for numerous reasons; notably, his recent passing and Don's decades of work in support of regional cooperation. In his final days, Don wrote a beautiful memoir, much of it devoted to his thoughts about our region and its future.³

As I ran the Confederation Bridge on its opening day, a CBC reporter came along beside me in a golf cart and interviewed me as I continued jogging. The first question was the standard reporter's query: How does this make you feel? I responded, "My world has shrunk." I don't think he quite got the gist of what I was saying; that's not the first or last time that has happened to me with a journalist. In the end, the interview was reduced to a clip on the evening national news with me huffing and puffing, saying, "I think I'm going to make it now." Perhaps those words were meant to say something profound about Maritime cooperation.

Illustration 2

The Confederation Bridge



Source: <www.confederationbridge.com/media-room/photo-gallery.html>

My favourite story from the opening day of the Confederation Bridge is told by Frank McKenna, who was premier of New Brunswick at the time. Premier

³ Donald G Dennison, *A Memoir in Words and Pictures* (Self-published, Fredericton, 2015).

McKenna was in Borden, PEI, where the main inaugural events took place. Among the thousands in Borden that day was an elderly Prince Edward Islander who approached the New Brunswick premier to ask, “Are you Frank McKenna?” At the time, there was quite a bit of news coverage of Premier McKenna’s sales efforts to recruit business and job opportunities to New Brunswick. The Island man followed up with a further question to McKenna, “You wouldn’t steal a whole island, would you?” Premier McKenna showed his characteristic quickness of mind and good humour by responding, “No, I wouldn’t steal Prince Edward Island. Besides, I don’t know how I’d get it back across the Bridge.”

In the interest of gaining perspective on our region, let’s go further back in time. Long before colonial settlement, there were Indigenous communities and governments. Most of the physical area of what is now the Maritimes was represented through the Mi’kmaq Grand Council, or Santé Mawiómi. The Grand Council was the traditional senior level of government for the Mi’kmaq people, and included representatives from the seven district councils that comprised Mi’kma’ki. Since the 1876 *Indian Act*,⁴ the Grand Council retains a more spiritual and cultural function, still fundamentally based on a regional perspective and identity.

The Mi’kmaq had good relations as neighbours and Algonquian speakers, including with the Maliseet people of the Saint John River Valley. The Mi’kmaq were known as “the people of the dawn” and the Maliseet as the “people of the beautiful river.” They came together with the Abenaki, Passamaquoddy and Penobscot First Nations to form the Wabanaki Confederacy, covering the vast territory of the Maritimes, the Gaspé Peninsula in Quebec and the upper New England states.⁵

From the early 1680s to the mid 1880s the Wabanaki Confederacy worked to shape policies in reaction against - or in accord with - strategic movements by the French, English, Huron, Ottawa, Mohawk, Ojibwa and Iroquois. Their collaboration was based in a sacred bond of Algonquian goodwill, and reinforced by a sense of necessity. Those twin factors, goodwill and necessity, tend to underpin much of what has constituted cooperation in this region in its various guises. Goodwill and necessity. Let’s keep those two factors in mind. Where we have seen real gains in regional cooperation, they have come together in an essential balance or combination.

Let’s skip ahead in time to the 1860s and the beginnings of Canadian Confederation. The 1864 Charlottetown Conference was initially intended to be a meeting of political leaders of the three Maritime provinces, to discuss legislative union. The Conference had been promised by Charles Tupper in an 1863 Nova Scotian election. Prince Edward Island was not all that enthusiastic about the

⁴ *Indian Act*, SC 1876, c. 18.

⁵ See John G Reid, “Empire, the Maritime Colonies, and the Supplanting of Mi’kma’ki/Wulstukwik, 1780-1820” (Summer/Autumn, 2009) 38:2 *Acadiensis* 78–97; Willard Walker, “The Wabanaki Confederacy,” (Winter, 1998) 37:3 *Maine History* 110–39.

concept, and likely would not have attended unless the meeting took place in Charlottetown. Apart from Premier Leonard Tilley and Lieutenant Governor A.H. Gordon, New Brunswick was not much more enthusiastic than Prince Edward Island, beyond a desire to complete the Intercolonial Railway.⁶

It is even doubtful if the Charlottetown meeting would have occurred, but for the initiative of a delegation from the Province of Canada who more or less invited themselves, to propose a broader union. The central motivation of the Canadian delegation was to resolve a stalemate in their political affairs. The Maritime union proposals were shelved on the first day of the Charlottetown conference, and overtaken by discussion of the concept of a broader union.

Over the course of eight days, the delegates laid the foundation and built relationships that carried them forward to the Quebec Conference the following month, where resolutions embodying the terms of the Canadian Confederation were adopted. While Prince Edward Island waited until 1873 to join, New Brunswick and Nova Scotia entered Confederation somewhat reluctantly in 1867. The mold was set for the Maritimes to find their footing together as sister provinces and within the larger Canadian landscape.⁷

The history of the first century of the region within Confederation has been well researched and written about.⁸ In a few words, the region has felt a relative loss of power and voice in Canada. Our sense of region-mindedness came out mainly through various grievances directed at Ottawa, reaching their high point in the Maritime Rights Movement during the 1920s.

With the relative prosperity that followed the Second World War, there were new initiatives to promote economic development and to make the case for greater regional cooperation. In April 1956, Prime Minister St. Laurent made a speech calling for a regional approach to economic development and issuing a challenge to the four Atlantic provinces to formulate regional policies.

The federal challenge was quickly taken up. The Atlantic premiers held their first-ever Conference, together with sizeable delegations of ministers and officials, in the Legislative Chamber in Fredericton in July 1956. The premiers met on ten further occasions between July 1956 and September 1964. Their initiatives touched on common concerns related to industrial development, trade, infrastructure, agriculture, transportation and an interprovincial power grid. This coincided with

⁶ See Dr J Murray Beck's, *The History of Maritime Union: A Study in Frustration* (Fredericton: Maritime Union Study, 1969) for a study of Maritime union initiatives of the 1850s and 1860s and their intersection with the development of Canadian confederation.

⁷ See Phillip A Buckner & John G Reid, eds, *The Atlantic Region to Confederation* (Toronto and Fredericton: University of Toronto Press and Academic Press, 1994); DA Muise, "The 1860s: Forging the Bonds of Union," in ER Forbes & DA Muise, eds, *The Atlantic Provinces in Confederation* (Toronto and Fredericton: University of Toronto Press and Acadia Press, 1993) 13–47.

⁸ Margaret R Conrad & James K Hillier, eds, *Atlantic Canada, A History*, 3rd ed (Oxford: Oxford University Press, 2015); Forbes & Muise, eds, *ibid*.

work by the Atlantic Provinces Economic Council. The provinces established Atlantic Provinces House in London in 1958 and appointed an Agent General.⁹

Things were moving quickly, given that the four provinces had only held their first joint meeting in July 1956. In a 1959 address to the Canadian Club in Montreal, Brigadier Michael Wardell, the publisher of the *Atlantic Advocate* as well as the *Fredericton Gleaner*, proposed to solve the issues of Atlantic Canada by creating an Eastern Canadian Union that would include Quebec and the four Atlantic provinces. This would be an economic, if not political, union. Wardell was not known to be a stranger to an opinion.

The bar of expectations for regional cooperation was moved to a new level at a First Ministers' conference in Charlottetown in late August and early September of 1964, held to coincide with the 100th anniversary of the 1864 Charlottetown conference. New Brunswick premier Louis Robichaud caught everyone by surprise when he proposed in his principal speech to the Conference that the idea of Maritime Union be revived. In a 1988 interview with Janet Toole, Charles McElman, who was Premier Robichaud's principal advisor, recalled that Robichaud was not initially enthusiastic about Maritime Union but that by the time of the Conference, he delivered the speech "with his usual bombast."¹⁰

The Robichaud initiative led to a proposal by New Brunswick and Nova Scotia to establish a commission to study the Maritime union concept. Prince Edward Island Premier Walter R. Shaw declined to get involved. After Alex Campbell was elected premier in 1966, Prince Edward Island joined in supporting the study. While Campbell was not a proponent of political or legislative union, he was nonetheless an avid proponent of regional cooperation.¹¹

In a 1967 address to the Maritime Provinces Board of Trade, Campbell sketched a vision of what he called "regional rationalism," starting with the observation that "such complex concepts as these are very easily over simplified, and even more easily promoted; but they are awfully difficult to translate into specific forms of co-ordinated action." After dismissing political union as "not the ultimate in co-operation between the present provinces," he explained "what is most urgently required now is economic integration within the region." He called for greater interprovincial cooperation in "the administrative field" and "the economic field." By way of example, Campbell cited motor vehicle licencing as "an obvious case in point" where benefits could be achieved through economies of scale in program administration and greater reliance on computerization. He pressed further, pointing to the "the forthcoming medicare program" as offering a unique opportunity for the region "to combine its requirements." Campbell went on to suggest that there could

⁹ Paul H Evans, *Report on Atlantic/Maritime Interprovincial Cooperation Between 1950 and 1971* (Halifax: Council of Maritime Premiers, 1985).

¹⁰ Charles McElman, interview with Janet Toole, November 1, 1988, at 2-3, New Brunswick Archives.

¹¹ MacLauchlan, *supra* note 1 at 231-6.

be joint approaches to housing and highways, and that there was “substantial potential for integration of educational systems.”¹²

Illustration 3



Caption: NB Premier Louis J. Robichaud (left) delivering dinner remarks at the Charlottetown Hotel during the 1964 Charlottetown Conference, with Quebec Premier Jean Lesage.

Source: Photo of Premiers Louis Robichaud and Jean Lesage, The Charlottetown Hotel, 1964, Public Records and Archives Office of Prince Edward Island Accession Number 3688/354/1-6.

In March 1968, the three provinces commissioned a Maritime Union Study under the leadership of economist Dr. J.J. Deutsch of Queen’s University. In late November 1970, after delays due to the October Crisis in Quebec and provincial elections in Nova Scotia and New Brunswick, both of which led to changes of government, the study was released in the Confederation Chamber in Charlottetown, with the three premiers present.

The Deutsch report advocated full political union of the three provinces, following creation of a Council of Maritime Premiers and the establishment of a Maritime Provinces Commission and Joint Legislative Assembly. The premiers were

¹² The Hon Alex B Campbell, “Notes for an Address by the Honourable Alex B Campbell, Premier of Prince Edward Island, to the Maritime Provinces Board of Trade” in *Alex B Campbell Speeches*, PEI Collection, Robertson Library, University of Prince Edward Island (June 6, 1967).

guarded in their reaction to the report, with Richard Hatfield being the most openly disposed to the concept and Gerald Regan the least so.

Illustration 4

Presentation of the Maritime Union Study, Charlottetown, November 1970



Left to right: Commission Secretary Fred Drummie, NB Premier Richard Hatfield, Dr. J.J. Deutsch, PEI Premier Alex Campbell, and NS Premier Gerald Regan.

Source: Presentation of Deutsch Report, Confederation Chamber, Province House, Charlottetown, November 1970: Alex B. Campbell Collection, PEI Collection, Robertson Library, University of Prince Edward Island.

Alex Campbell would later say that he regretted that political union had figured so prominently in the name and mandate of Deutsch's study, as it drew attention away from the more subtle and pressing opportunities for regional cooperation. The premiers met in Halifax in January 1971, at which time they agreed to establish the Council of Maritime Premiers, and in Fredericton in May 1971, for the first meeting of the council.

During the decade of the 1970s, the Council of Maritime Premiers met regularly and made a number of significant strides in regional cooperation, notwithstanding the fact that the Deutsch study's core recommendation for political union did not gain traction.

In March 1968, the Atlantic Provinces Survey and Mapping Program was established, leading to the creation in 1973 of the Land Registration and Information Service (LRIS). The LRIS had a mandate to implement a comprehensive program of surveying and mapping for the three Maritime provinces, with headquarters in Fredericton and shared facilities and operations in various locations throughout the region. This meant new capacity in land records and management, and in support of property assessment and taxation.

In 1974, the Maritime Provinces Higher Education Commission (MPHEC) was established, as an arms-length agency to make recommendations to governments with respect to financial requirements, program priorities and policies in higher education, bringing all Maritime universities and selected other post-secondary institutions within its purview.

You can't make these path-breaking steps without bureaucratic leadership. This is an important lesson in regional cooperation. While premiers and legislatures can make political commitments, it takes a special combination of entrepreneurial leadership, character, and expertise to bring people together and drive agendas forward. The LRIS was led by a group of surveying engineers based at the University of New Brunswick. The MPHEC was carried, or some might say driven, through its inaugural years by Sister Catherine Wallace, who served as president of Mount St. Vincent University from 1966 to 1974 (see Illustration 5 on next page).

Illustration 5

Dr. Catherine Wallace, breaking ground for a new academic building



Source: “Mount Saint Vincent University Presidents”, online: <www.geocities.ws/katherineside/presidents.html>.

Other instances of regional collaboration during this period included the Atlantic Police Academy at Holland College and several other regional centers dedicated to specific professions, plus the Maritime Municipal Training and Development Board. At the ministerial and sectoral level, there were numerous collaborative initiatives, notably in transportation, tourism, education and skills development, marketing and trade, energy and environment, and health and welfare.

There were specific initiatives in areas as diverse as special education, drug dependency, tourism marketing, remote sensing, electricity distribution, and lotteries. In 1976, the Atlantic Lottery Corporation was created, with head offices in Moncton. Many of these initiatives reflected a *quid pro quo* of where people and resources would be located or whose turn it was. It took almost a decade to reach a final decision to locate the Atlantic Veterinary College in Charlottetown at the University of Prince Edward Island, with Nova Scotia holding out in favour of Truro.

Let me make several observations regarding the progress in the 1970s and 1980s:

1. The premiers were of a similar mindset with compatible electoral mandates.
2. There were talented, dedicated people in bureaucratic leadership roles to ensure implementation.
3. There was newly available federal money.
4. It was a time of “can-do” spirit and compatible personalities.

To illustrate the “can do” spirit and good nature that animated initiatives in regional cooperation during the 1970s, there was an amusing event when the three Maritime premiers met in Charlottetown in February 1977. While his colleagues Premiers Gerald Regan and Richard Hatfield were attending a Stompin’ Tom Connors’ performance at a popular local bar, PEI Premier Alex Campbell and some of his officials, along with Barry Toole of New Brunswick, teamed up with the local PEI newspaper *The Guardian* to produce a mock version of the paper, leading with the front-page headline “Premiers Okay Maritime Union.” The main accompanying article reported that “In a secret meeting late last night,” the three premiers had “put aside past differences” and agreed to form a new province to be called “Maritima,” with its capital to be in Summerside. Campbell would become the first premier of Maritima, while Gerald Regan was to be lieutenant governor designate, and Richard Hatfield minister of intergovernmental affairs.

The newspaper had supplemental reports, including one that gathered reactions from various sources around the region. Those included a county court judge in Cape Breton who protested that the capital of Maritima should be in Gabarus. The mock newspapers were delivered to the hotel rooms of Regan and Hatfield and their key officials early in the morning. At breakfast they showed no sign that they had received or read the newspaper, which of course they had; later in the day, the gathering shared a good laugh.

The Maritime premiers of the 1970s were not naïve about the scale of the challenges. After a decade of advocacy for Atlantic cooperation, Alex Campbell told the regional Liberal caucus of federal MPs and senators meeting in Memramcook in the summer of 1977:

“We sit here under the banner of an Atlantic regional caucus when in fact there is no such thing The only people who consider Atlantic Canada as a region are those who live outside of Atlantic Canada, the planners and the bureaucrats in Ottawa, the newscasters in Toronto and the airline executives in Montreal. We in Atlantic Canada have not even made the decision to develop as a region. We are four separate, competitive, jealous and parochial provinces. We fight each other for industrial development. We fight each other for subsidies and we bicker about energy and transportation. And too often, the lines of battle are drawn on purely political grounds or selfish local considerations.”¹³

The work of the Council of Maritime Premiers was complemented by the establishment of annual meetings of New England Governors and Eastern Canadian Premiers, inaugurated at Brudenell, Prince Edward Island in 1973. The two-day conference brought together the governors of six New England states and the premiers of Quebec and the four Atlantic provinces to discuss issues of common concern. The main output of the 1973 meeting was a five-point accord on energy and communications, agreeing to exchange information relating to energy supplies and energy needs on a continuing basis, exchange information regarding environmental problems and the ways in which they may be minimized, urge the respective federal governments to permit the freest possible marketing and transportation of energy supplies between the regions, and establish a permanent advisory committee, with representatives from each state and province, as a vehicle to exchange information on energy supplies and needs.¹⁴

The 1973 meeting became the first in more than four decades of annual conferences, normally taking place in August, that serve as much to develop interpersonal networks and relationships and lobby higher levels of government as to take specific initiatives. In addition to energy, the conferences of premiers and governors have focused on trade, economic development, environment, oceans, forestry, agriculture, fisheries, transportation, information technology and tourism. In August 2015, the group met in St. John’s and committed to a regional energy accord, including targets to reduce greenhouse gas emissions, building on work going back to 2001.

In May of 2000, the Council of Maritime Premiers was expanded to include Newfoundland and Labrador, thus transforming itself into the Council of Atlantic Premiers. The expanded Council has continued meeting on a regular basis with the role of chair rotating among the provinces. The output of the Council of Atlantic Premiers and, before it, the Council of Maritime Premiers has tapered off by

¹³ MacLauchlan, *supra* note 1 at 234; Campbell, *ibid.*

¹⁴ MacLauchlan, *Ibid* at 236–38.

comparison with the progressive achievements in regional cooperation during the 1970s and into the 1980s. The regular meetings provide an opportunity for premiers to meet and build relationships on an interpersonal basis and for officials to collaborate on issues of common concern, with a tendency to focus on federal-provincial matters. The MPHEC continues its mandate to oversee program development in universities throughout the region. Ministers and officials responsible for various policy areas such as health, transportation, agriculture, fisheries, education, etc., meet regularly on a regional basis to share perspectives and, by times, to coordinate policy initiatives.

II. PROSPECTS

In March of 2015, the premiers of Nova Scotia and New Brunswick announced the creation of a Joint Office of Regulatory Affairs and Service Effectiveness, building on the Atlantic Red Tape Reduction Initiative announced by the Council of Atlantic Premiers in January 2015. Following a May 2015 provincial election, Prince Edward Island accepted an invitation to join the effort.¹⁵ The mandate of the office is to create a better climate for doing business in and among the three Maritime provinces, to reduce red tape and unnecessary regulatory differences, and to eliminate barriers to the freer flow of goods and services in the region. The goal is simple: “to make the entire Maritimes the most streamlined and competitive region for the conduct of business in Canada.”¹⁶ Working together, the three provinces will align areas of procurement, standards, and regulations that will make doing business in the Maritimes more seamless.

The current Maritime premiers have been known to refer informally to the regulatory efficiency initiative and related collaborative efforts as working together to create “The New East.” This is a direct analogy to the initiative among the three westernmost provinces to establish the “New West Partnership.”¹⁷ Former British Columbia Premier Gordon Campbell, who was one of the founders of the New West Partnership and now serves as Canada’s High Commissioner to the United Kingdom, told me in a personal conversation that the greatest benefit of the Partnership was that the provinces would show up together and speak well of each other.

As we look at the prospects for regional collaboration and development, one significant way in which the Maritimes and Atlantic Canada have greater bandwidth or capacity to act together today has come through the regional activities of large firms, with corporate integration and amalgamation, and through the consolidation of professional service firms, notably in law and accounting. Another important regional institution is the annual gathering that former NB Premier Frank McKenna assembles at the Fox Harb’r resort, near Pugwash, NS. This gathering of business,

¹⁵ Joann Alberstat, “Taking Aim at Regulatory Woes,” *The Chronicle Herald* (July 30, 2015) B-1.

¹⁶ Nova Scotia, *Maritime Premiers’ Plan of Action for Regional Regulatory Reform*, online: Office of Regulatory Affairs and Service Effectiveness <novascotia.ca/regulatoryopportunity/plan-of-action.asp>

¹⁷ British Columbia, Alberta, Saskatchewan, *Canada’s New West Partnership*, Online: New West Partnership Trade Agreement <www.newwestpartnershiptrade.ca/>

political and community leaders from throughout the Atlantic region and beyond allows important informal networks to flourish. On July 13, 2015, Premiers Gallant, McNeil and I met at the annual Fox Harb'r gathering with Dwight Ball, who was at that time leader of the official opposition in Newfoundland and Labrador and has since been elected premier

An essential challenge for the Maritimes and the Atlantic region will be to pay attention to our brand. We must ensure that others realize that we are looking at things in a modern way, that we have an appetite for sustainable growth, and that we are capable of being competitive. In October 2015, following the election of Prime Minister Justin Trudeau, with a majority government, columnist Jeffrey Simpson wrote a column in the *Globe and Mail* under the headline, "With Liberal sweep, political stars align for Atlantic Canada."¹⁸ The premise of the article was that, with all thirty-two federal seats returning Liberal MPs and with the prospect of four Liberal provincial governments following the November 30 election in Newfoundland and Labrador, the stars would be well aligned. Simpson wrote: "If ever, therefore, the political leadership of Atlantic Canada could work together and do something big for the region that time must be now. And the region needs help."¹⁹

"So far, so good," as they say. Simpson offered a list of areas in which the region might undertake joint action, including immigration, infrastructure, trade, energy and innovation. He prefaced his list by cautioning that the region might "fall back on bad habits" and "squander this chance by dropping more money into old programs that perpetuate the status quo" and by observing the propensity of Atlantic Canadian politicians to practice "the politics of patronage and pork barrel."²⁰ Simpson's column is a reminder that as a region we need to work together to improve our brand. Instead of accepting Simpson's caricature, we must pre-empt it, and work in a positive way to ensure that we put our best foot forward to build a more sustainable future and to change a tendency on the part of some commentators outside the region to view us.

One Maritimer who has been well-known for promoting our region to the rest of Canada and the world is former New Brunswick Premier Frank McKenna. In an address to the Atlantic Provinces Economic Council in Saint John in early November 2015, McKenna urged the region to take advantage of what he referred to as a "potential perfect alignment of political interest."²¹ He spoke about a global "innovation race" and noted that many countries at the head of the pack did not have rich natural resources, referring to Japan, Singapore, Israel and South Korea. McKenna said that Israel has developed an internationally significant cluster of technology industries and that they have done it "for survival." He noted that

¹⁸ Jeffrey Simpson, "With Liberal sweep, political stars align for Atlantic Canada", *Globe and Mail* (October 23, 2015).

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ Frank McKenna (delivered at the annual "Outlook" Conference, Atlantic Provinces Economic Council, Saint John, NB, November 5, 2015).

Atlantic Canada has a significant potential to compete with global knowledge centers, with universities that serve 74,000 full-time students and another 14,600 part-time students.²²

Illustration 6

Atlantic Liberal Leaders in Fox Harb’r, NS, July 2015



Left to right: Premier Brian Gallant (NB), then opposition leader and current Premier Dwight Ball (NL), Premier Wade MacLauchlan (PEI), and Premier Stephen McNeil (NS).

Source: Photo of Atlantic Liberal Leaders, Fox Harb’r, Nova Scotia, July 2015: Premier MacLauchlan’s collection.

Israel becoming known as a “Startup Nation”, and as a globally competitive economy based on knowledge industries, motivated by survival, should not be lost on the Maritime provinces.²³ A primary challenge for our region is to recognize that our survival is indeed in issue. Just as our shorelines have eroded over the past 5,000 years, our region must come to terms with demographic, economic and political trend lines that are moving at a fast pace and that together constitute a threat to our sustainability.

In demographic terms, the population of Atlantic Canada relative to the rest of the country has been reduced dramatically since the time of Confederation. In 1871, the Atlantic provinces including Newfoundland and Prince Edward Island, which were not provinces at the time, represented 21% of the Canadian population.

²² *Ibid.*

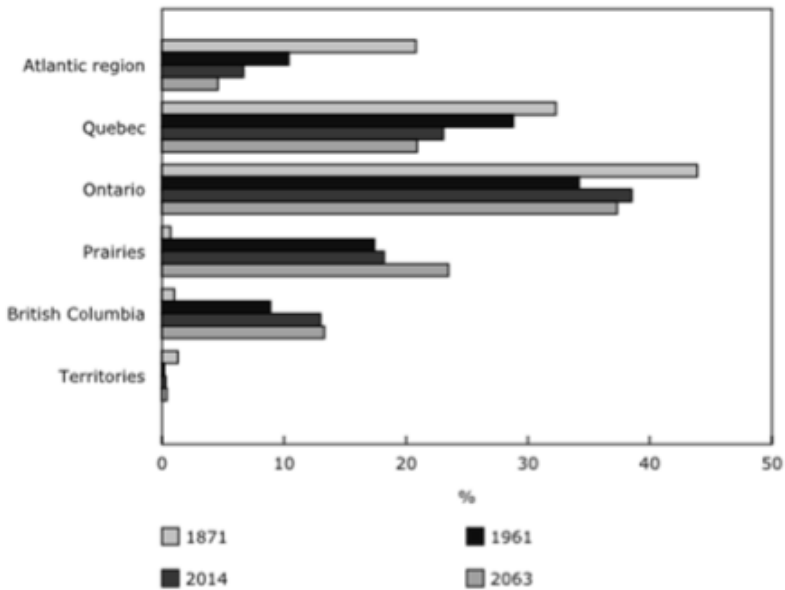
²³ Dan Senor & Saul Singer, *Startup Nation: The Story of Israel’s Economic Miracle* (Council of Foreign Relations, 2011).

By 1961, that proportionate share of the national population was reduced almost by half. And by 2014, the four provinces were in single digits, at less than 8% of the total Canadian population. By 2063, it is projected that the Atlantic population will be less than 5% of the Canadian total, while the population of the Prairie provinces will exceed that of Quebec.

And let's be sure to appreciate how quickly and definitively this is moving. Most of the people in this room were around in 1961, and it doesn't seem that long ago. 2063 is now closer than 1961.

Figure 1

Percentage of Canadian Population by Region: 1871, 1961, 2014, and 2063

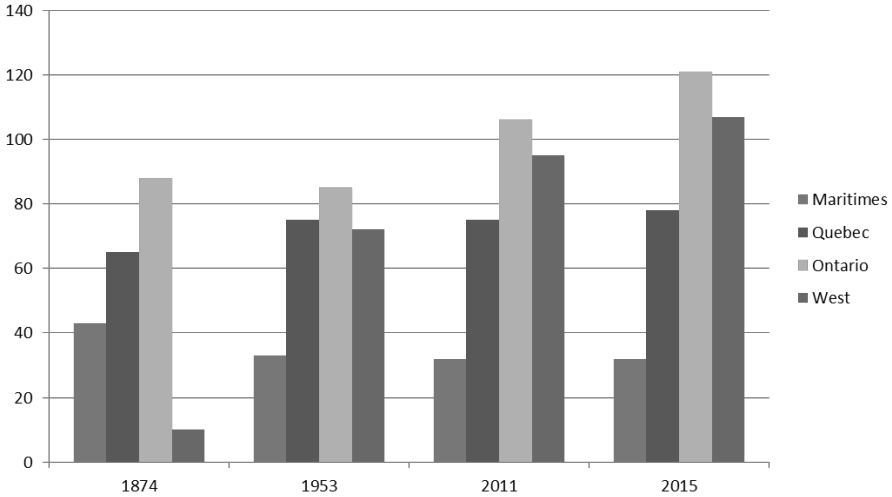


Source: Statistics Canada, “Censuses of Canada’s population, 1871 and 1961; Population Estimates Program, 2014; Population Projections Program, 2063”, online: <www.statcan.gc.ca/daily-quotidien/151027/cg-a002-png-eng.htm>.

This decline in the demographic “clout” of the Maritimes compared to the rest of the country is replicated in political terms, with a relative decline in the number of House of Commons seats assigned to the region. With the most recent redistribution, the Maritime provinces have 24 out of 338 seats, compared to 43 seats out of a total of 206 in 1874, the first election after Prince Edward Island joined Confederation. That is equal to almost 21% of the total seats in 1874, compared with less than 9.5% of the seats today. Of Canada’s first eleven prime ministers, four were Maritimers. No one from this region has served as prime minister since R.B. Bennett, for whom this Viscount Bennett Lecture is named. It is sobering to be reminded that,

up to 1935, we were 4-for-11 in terms of Maritime prime ministers; since 1935, we are 0-for-12.

Figure 2
Regional House of Commons seat distribution



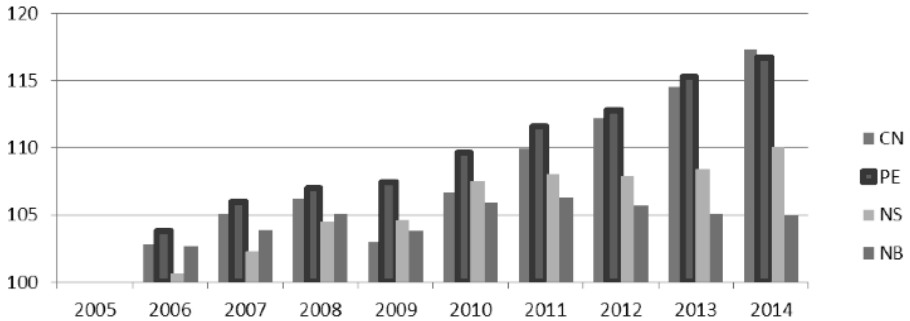
Source: Parliament of Canada, “History of Federal Ridings Since 1867”, online: <www.lop.parl.gc.ca/About/Parliament/FederalRidingsHistory/hfer.asp?Language=E&Search=G>.

There is of course a correlation between the relative demographic decline of the region and the diminishment of its political clout. With representation-by-population as the governing norm in the allocation of House of Commons seats, all four Atlantic provinces would have fewer seats in the Commons if it were not for the “Senate floor” rule introduced by constitutional amendment in 1915 to save Prince Edward Island from declining below four seats and to guarantee that no province would have fewer seats in the Commons than it has in the Senate.

The Maritimes’ relative decline in demographic and political terms is directly related to the region’s comparatively small and shrinking share of the Canadian economy. In 2014, Nova Scotia, New Brunswick and Prince Edward Island constituted 3.9% of Canada’s GDP. This compared with 4.37% of the national economy as recently as 2005. On a per capita basis, Maritimers earn less than 80% of the average GDP for all Canadians.

Figure 3

Real GDP Growth: Canada and Maritimes (indexed, 2005=100)



Source: Statistics Canada, Table 379-0030: Gross domestic product at base prices, by North American Industry Classification System.

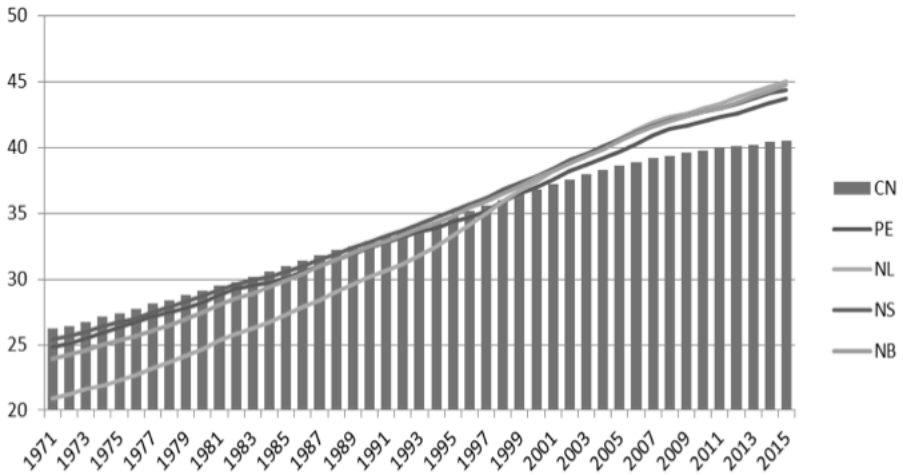
These are not favourable conditions to turn around patterns of net out-migration and comparatively low rates of immigration. These factors in turn contribute to a population that is aging more rapidly than is the case for Canada as a whole. As recently as the 1970s, median ages in Atlantic Canada were younger than the national demographic profile. In the intervening four decades, median ages in this region have risen by approximately twenty years or the equivalent of six months per year, and at rates significantly faster than the rest of Canada (see Figure 4 on the next page).

An aging population translates into increased health care costs per capita and higher dependency rates. In addition to the fact that Maritimers are several years older on average, we experience a higher incidence of chronic disease. Rates of arthritis and high blood pressure are significantly higher in Atlantic Canada, while the incidence of diabetes, asthma and COPD is above the Canadian norm (see Figure 5 on the next page).

Since 2012, the Maritime provinces have experienced more people leaving than entering the workforce. These are grim trend lines, unless we are resolved to “bend the arc” by growing and rejuvenating the population. This can be accomplished in essentially three ways: recruitment, retention, or repatriation. The Maritime provinces require all three. As Frank McKenna said in his APEC “Outlook” address: “Of all the things we need from Ottawa, the priority by a country mile is getting more people.”²⁴

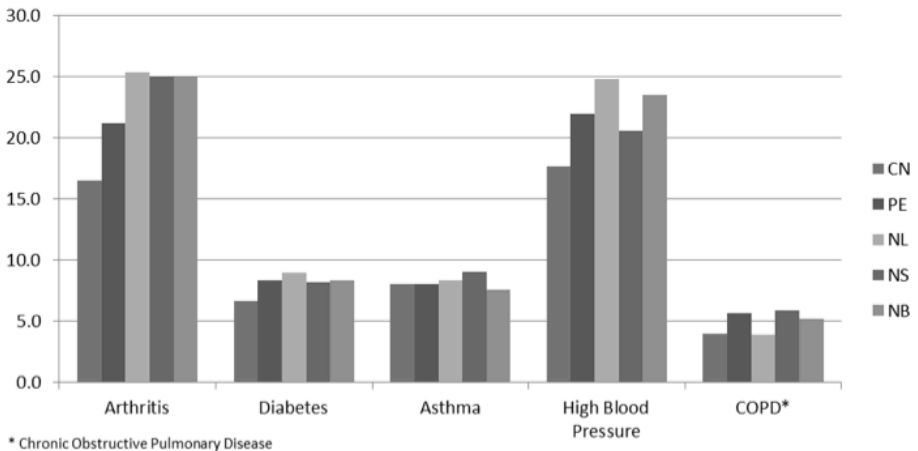
²⁴ McKenna, *supra* 21.

Figure 4
Median Age, Canada and Atlantic Provinces: 1971–2015



Source: Statistics Canada, Table 051-0001: Estimates of population, by age group and sex for July 1, Canada, provinces and territories, annual.

Figure 5
Percent of Population with Chronic Conditions: 12 years and older (2014)



Source: Statistics Canada, Table 105-0501: Health indicator profile, annual estimates, by age group and sex, Canada, provinces, territories.

This brings us back to our overall theme: Maritime cooperation. Population strategy and immigration are areas ripe for regional collaboration. This starts with the relationship between provincial governments and Ottawa. While immigration is a shared jurisdiction in constitutional terms, the policy levers reside mainly in Ottawa,

as do the main judgment calls such as assignment of quotas for various categories of immigrants or eligibility criteria. Still, there is room for provinces to hustle and be creative, as has been shown by Manitoba, notably in shaping the Provincial Nominee Program²⁵. By working together on policy and programs, Maritime governments have significant potential to achieve more in immigration than they will by working apart.

When it comes to population strategy, international migration is only one of several pathways to be pursued. Interprovincial migration holds even greater potential. Out-migration, which by nature involves the most mobile citizens, has been the dominant demographic story for the Maritimes over time. With the current restructuring of the Canadian economy, notably the slowdown of regional economies driven by oil and gas or commodities, there has rarely been a more propitious time to actively promote repatriation of Maritimers who have gone elsewhere in pursuit of opportunity. Changing this longstanding pattern will require effective outreach and persuasion. Above all, there will need to be opportunities to work, invest and prosper. For example, Prince Edward Island experienced population growth, including positive net interprovincial migration, for seven consecutive years from 1972 to 1978. It is more than a coincidence that, for the decade of the 1970s, PEI had the third-strongest performing economy in Canada, after Alberta and British Columbia.²⁶ On the subject of out-migration, it is worth noting that Halifax is the most popular destination for Maritimers who migrate away from home,²⁷ thus reinforcing the historical truism that people follow opportunities.

An integral ingredient when it comes to creating opportunities, and persuading ourselves and others that there are opportunities, is *brand*. The Maritimes have a perception or reputation problem. There is an age-old wisdom that reputation starts at home. If we don't believe in ourselves and expect ourselves to excel and prosper, why should others hold a high opinion or expect much of us? Beyond this, we require a focused effort to project a stronger message about our resourcefulness, ingenuity and resilience. We should continue to emphasize and take pride in our quality of life and sense of place. However, we should not take any of this for granted or assume that it will be easy. What we mainly require is awareness. That starts with telling stories, positive stories, about what we can achieve. Ultimately, this is about competitiveness and strategic positioning. As the current Maritime premiers have started to do, we need to speak and think about the Maritimes as the "New East."

²⁵ Manitoba, *What is the Provincial Nominee Program?* (January 2015), online: <www.immigratemanitoba.com/2015/01/29/mpnp-manitoba-provincial-nominee-program/>

²⁶ MacLauchlan, *supra* note 1 at 208–09.

²⁷ I owe this insight to my friend Donald Savoie of l'Université de Moncton, who is working on a soon-to-be-published book on the Maritime economy: Donald J Savoie, *Looking for Bootstraps: Economic Development in the Maritimes* (Montreal: McGill-Queen's University Press, 2016) [forthcoming].

Energy and environment, trade, health and education are high on the list of agenda of opportunities for Maritime cooperation. Happily, good precedents have been established and important work is underway. The regional premiers met on four occasions in 2015, a pace that is envisaged to continue in 2016. In the early fall of 2016, there will be a regional trade mission to the United Kingdom, Holland, Belgium and France. In March, the provinces will take part in the Boston Seafood Show, the world's biggest annual seafood trade event. The premiers have committed to work collaboratively on drug procurement, with the ultimate aim of a common formulary. This would in turn open the way to increase the proportion of prescriptions filled with generic drugs, with potential savings in excess of \$400 million annually to public and private drug plans. The opportunity to save money that we are currently spending is a powerful incentive.

We currently have in place exceptional conditions favouring cooperation among the three Maritime provinces. Premiers McNeil, Gallant and I currently enjoy a special level of goodwill and interpersonal chemistry. Relationships and chemistry count for a lot. Plus, the three governments have a similar political mandate, with Premier Gallant having been elected in October 2014 and Premier McNeil in October 2013. Our government was elected in May of 2015. We all share the view that there is both a special opportunity at this particular point in time, and that we must approach our collaboration and our mandates with a sense of urgency. With a majority government in Ottawa, supported by 32 Liberal MPs from Atlantic Canada, in office until October 2019, we have what I like to think of as an uncommon "runway" to identify and pursue a strategic agenda for the region.

Of course, there is a basic truth about runways. They're not much good unless you take off. This is the essential challenge for Maritime cooperation. Numerous initiatives to cooperate among provinces have trailed off because leaders and governments were unable or unwilling to dedicate sufficient time and attention. Unless both bandwidth and direction are committed from the highest levels, cooperative initiatives are unlikely to be sustained. Bureaucracies are by nature protective, or even competitive. When it comes to implementation and delivery, cooperative efforts must be prioritized and led by senior officials.

Runways have crosswinds. In the world of politics and government, there will always be a ready supply of distractions, generally of the unforeseen variety. As those distractions become tied more closely to (re)electoral cycles, they are more likely to be treated as urgent, overwhelming whatever sense of priority might otherwise be attached to regional cooperation. This is the quintessential challenge of political leadership, to ensure that matters labeled as urgent do not prevail over strategic priorities. This might also be viewed as a challenge to approach regional cooperation on the basis that it should be politically sellable or popular.

In the case of the Maritime provinces, we may well be in a moment when regional cooperation could be viewed positively by the electorate, provided it is promoted in positive terms as a strategic priority. For this to be so, there must be a realistic appreciation by the people of the urgency and the need to cooperate. As a general matter, it's hard to scare people into believing that they need something.

Politicians are more comfortable seeking support with honey than with vinegar, and voters are more accustomed to this approach. For my part, I believe there is a greater popular appetite for regional collaboration than is generally thought to be the case by political advisors or senior bureaucrats who tend more to parish-mindedness, especially at election time. People are looking for leaders who “see the big picture.”

Regional cooperation should be seen as “low-hanging fruit” when it comes to demonstrating that a political leader sees the “big picture” and is prepared to do something about it. To a significant degree, advancing Maritime cooperation in the current era calls for the same mix of attitudes, motivations and priorities that underpinned the Wabanaki Confederacy: goodwill and necessity.

As we view the political, economic and demographic landscape of the Maritime provinces today, there is much ready evidence of both goodwill and necessity. Together with leadership and a sense of urgency, the conditions have never been better for regional cooperation that is effective, strategic and sustainable. It will also help to have some good luck. With this in mind, I conclude with a quip from Stephen Leacock: “I’m a great believer in luck, and I find that the harder I work the more of it I have.” Let’s work together.