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FULFILLING THE OBLIGATIONS OF THE SOCIAL CONTRACT

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JCSP 42

Exercise Solo Flight

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CANADIAN FORCES COLLEGE – COLLÈGE DES FORCES CANADIENNES
JCSP 42 – PCEMI 42
2015 – 2016

EXERCISE *SOLO FLIGHT* – EXERCICE *SOLO FLIGHT*

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FULFILLING THE OBLIGATIONS OF THE SOCIAL CONTRACT

In 2006, the federal government introduced legislation which fundamentally altered the existing arrangement between veterans and the nation. The New Veterans Charter (amongst other things) eliminated the lifetime pension awarded to those military members who were injured in (or attributable to) service to the country and replaced it with a lump sum payment (or a payment to be issued over a finite time period of the injured member's choosing). In October 2012 a group of six Canadian veterans filed a class action lawsuit against the federal government for breach of fiduciary duty and failure to honour the terms of the social contract that had been in place since World War I. The basis for the lawsuit was a verbal commitment; Prime Minister Sir Robert Borden is cited as giving voice to the social contract with the military in a speech he gave before sending Canadian citizens to the Great War (specifically the Battle of Vimy Ridge where Canada is said to have been born as a nation).

You can go into this action feeling assured of this, and as head of the government I give you this assurance: That you need not fear that the government and the country will fail to show just appreciation of your service to the country and Empire in what you are about to do and what you have already done. The government and the country will consider it their first duty to see that a proper appreciation of your effort and of your courage is brought to the notice of people at home...that no man, whether he goes back or whether he remains in Flanders, will have just cause to reproach the government for having broken faith with the men who won and the men who died.

The federal government responded to the lawsuit in early 2013 stating that, "At no time in Canada's history has any alleged 'social contract' or 'social covenant' having the attributes pleaded by the plaintiffs been given effect in any statute, regulation or as a constitutional principle written or unwritten."¹ Department of Justice lawyers representing the government

sought to have the case dismissed but the court ruled that same year that the class action lawsuit could proceed. In discussion with the lead counsel for the plaintiffs, Mr. Don Sorochan, confirmed that as of the writing of this paper the court case remains open before the British Columbia Supreme Court. A mutually agreed upon hiatus was taken during the 2015 election period but informal talks continued behind closed doors regarding the position of the veterans and that of the government. With the election of Liberal party (the only political party on record as saying that they would re-instate the lifetime pension as well as re-open the Veterans Affairs Canada (VAC) offices shuttered by the previous administration), the group behind the lawsuit and their legal counsel (provided pro bono by Miller Thomson LLP) are expecting to hear from the new government regarding any developments on (i.e. timeline working towards) the reinstatement of lifetime pensions for those injured and disabled in service to their country.

This lawsuit serves as context for the thesis of this paper. When insisting that a social contract exists between the nation and the people who volunteer to protect the country, this begs the question as to whether or not there is a greater contractual arrangement between the state and its people. A contract by its nature sets out obligations for all parties concerned and as such while the government has a duty or “sacred oath” to fulfill vis a vis military members, this paper submits that the other stakeholder, the citizenry, not only has a role to play but obligations to fulfill. It will be argued that citizenship or belonging to a nation obligates its citizens to do more than just abide by the laws of the land and pay taxes. There is an obligation to take a more active role in the life of the country and it is posited that this may take the form of mandatory public service; whether this be military service or alternate forms of public service, it is believed that

¹ The Canadian Press, "Veterans can Sue Ottawa Over Benefits, Judge Rules," *Canadian Broadcasting Corporation*, sec. Canada, September 7, 2013, 2013.

the same social contract which demands the government look after disabled veterans for life, also demands service from its citizens.

The concept of social contract has been around for as long as the notion of nationhood. In essence the social contract is an arrangement created where a group of individuals defer certain rights to a central agency which will in return provide order and protection. This is first intimated in Socrates' writing in *Crito* where he advises that those who do not wish to abide by the laws of a city should leave; the logic being that those who choose to remain have entered into a contract with the city (state) and must suborn a certain amount of their freedom (free will) to live within the walls, to the extent of accepting consequences (punishment) for breaking those laws. Plato in *The Republic* goes further to state that human nature being what it is requires this covenant to ensure survival; otherwise self-interest and rampant social injustice would rule. It was during the 17th Century that the concept of the social contract became more pronounced and codified. Thomas Hobbes declared in *Leviathan* that man existed in a primal state of nature and that life was "nasty, brutish and short." He believed that it was human nature to be self-centred and selfish. As such, society or government (of the people, for the people, by the people) was required in order for humanity to exist without destroying one another. And so out of fear individuals gave up certain freedoms to a central power (an individual or an "assembly of men") who would provide in turn protection of individual rights within the context of a nation.² John Locke took a differing view regarding human nature; while Locke believed as Hobbes did in an individual's ability to act freely without interference from others (state of nature), he also believed that there was a law of nature based on reason and logic and experience that provided a

² Anthony J. Kenny, "English Philosophy in the Seventeenth Century," in *A Brief History of Western Philosophy* (Oxford, UK: Blackwell Publishing, 1998), 202-216.

morality of sorts. This natural law included basic things such as the right to “life, health, liberty and possessions” and the social contract was the arrangement that reined in man’s state of nature in accordance with the natural law. Government retained ultimate power in a “legislative” that devised and issued laws applicable to all of its citizens (“one rule for rich and poor”); and an executive branch of the government that declared war and peace and arranged for alliances and managed relations with external agencies. This “federative” arm looked after the daily business of government. Locke’s concepts of legislative and federative branches of government are clearly reflected in the American Constitution.³ Jean-Jacques Rousseau was another prominent philosopher who furthered the concept of the social contract. Building on the Hobbesian state of nature, Rousseau believed that mankind was inherently good, equal and, like Hobbes and Locke surmised, free to act (free will). However, as with Hobbes, Rousseau also believed that human nature to be self-interested and so the social contract was seen as a means by which to impose order. The central authority was created to shift the focus from self-interest to group interest and the will of the people. This would, because of the inherently noble nature of man, reflect the common good. Rousseau is the philosopher who underlined the give and take nature between government and those being governed; a sovereign authority responsible for the good of the people while the people were responsible for the common good. Rousseau also forwarded the notion of teaching youth the principles of the common good (benevolence) by their parents. This system would self-perpetuate, creating a civil society based on this covenant of mutual interest.⁴ Social contract theory fell out of favour for generations until 1972 when a Harvard professor,

³ Graham Faiella, *John Locke: Champion of Modern Democracy* (New York, NY USA: The Rosen Publishing Group, 2006).

⁴ James R. Norton, *Jean-Jacques Rousseau: Advocate of Government by Consent* (New York, NY USA: The Rosen Publishing Group, 2006), 51-70.

John Rawls, published “A Theory of Justice”. In his writing, Rawls reinvigorates the discussion surrounding the social contract. Rawls’ contribution harkens back to the concept of the state of nature by placing individuals in an “original position”. Based on the premise that these individuals are rational human beings, they would arrive at the same conclusions regarding regulation of civil society. That is, that there are two principles of justice that determine the distribution of both civil liberties and social and economic goods. The first principle would grant all persons the same amount of basic liberty (liberty principle) while the second principle states that social and economic inequalities may exist as long as it is available to all equally and is of advantage to everyone (the difference principle). Rawls’ theory places limits on the forms of political and social organization that are permissible in a just society. If we consider the constitution as a concrete example of the social contract, Rawls’ two principles of justice imposes constraints on what that arrangement can compel us to do or not do.⁵

This brief exploration of the philosophical roots of the social contract is essential to understanding this paper’s proposition of mandatory public service. In return for protection of individual liberties, freedoms and rights within the nation’s borders (or wherever the member chooses to travel) and the promotion of the common good so as to provide an environment where the citizen may flourish, clearly the individual owes the state something. This is partially satisfied through the remittance of taxes which fund the social services provided by the government which is meant for the good of all. This is also satisfied through the voluntary compliance with the legislated rules and regulations that limit individual liberties, freedoms and rights in favour of the greater good. It is argued, however, that meeting these conditions are not

⁵ Celeste Friend, *Social Contract Theory* Internet Encyclopedia of Philosophy, 2016).

enough to satisfy the obligations of citizenship and the social contract. More must be asked and expected of the nation's people.

Mandatory military service is the most obvious (and controversial) option for national service. Known as conscription, or the draft, some countries, such as Finland, continue the practice as a means to raise the bulk of its defence forces. It should be noted that these countries are in the minority as more and more nations move away from mandatory military service in favour of all volunteer, professional forces. Finland however has maintained that the conscript system not only provides a means for protecting the country and fulfilling international commitments but it also serves a social function as well. Conscription

...connects the different actors in society; promotes social values, national (defence) will, and social peace; provides young men and women with versatile skills, some of the most significant of which include leadership training, driver training, and first aid training; teaches social and group skills; prevents social exclusion; facilitates immigrant integration; promotes public health; provide data and material for research; produces a military reserve that can also support other authorities; produces personnel for crisis management tasks; and acts as a recruitment channel for the Defence Forces and other authorities.⁶

Every male Finnish citizen is liable for military service from the age of 18 to age 60 unless exempted. Once called up for service, the candidate is screened and deemed to be either suitable or not for military duty. If deemed suitable, the individual will commence military service within three years of the call up date, at a pre-arranged, specific date (the induction date) as a conscript. Service length will depend on whether it is determined that the individual is suited to be an officer or non-commissioned officer (NCO) (in which case military service duration is 362

⁶ Ministry of Defence, *Working Group on the Conscript System: Final Report - News Release* (Finland: Government of Finland, Ministry of Defence, 2010).

days), or rank and file (where military service may be from 180 to 362 days). Duration of military service also depends on what trade the individual is selected for; some specialist trades require longer service. Every conscript is provided with basic military as well as their specific trade training. They are equipped, fed and housed at government expense. On completion of their service, they are transferred to the Reserve until the age of 50 (for rank and file) or 60 years of age (for officers, NCO) or for as long as they remain fit for service (for officers of the rank of Colonel/Captain (Navy) or higher). As a Reservist they are also liable for refresher training consisting of 40, 75 or 100 days (depending on rank and trade). All throughout their military service and Reserve training they are paid a per diem rate. The Conscription Act (1438/2007) also provides a chapter (Chapter 6) on unarmed service for Finnish citizens who for reasons of conscience cannot perform military service. The length of unarmed service for a conscript ranges from 270 to 372 days.⁷ The Finnish experience also confirms the financial efficiency of raising and maintaining a conscript force. Given the recent domestic financial situation, the Finnish Ministry of Defence does acknowledge that overall the national defence budget has been shrinking due to external pressures but this merely underlines the desirability of the conscript program as it provides the most cost benefit for the nation. Notwithstanding increasing calls from internal groups seeking to eliminate mandatory military service and transition to an all-volunteer, professional armed forces, the federal government of Finland continues to maintain conscription as a means of national defence and also as a means of reinforcing Finnish civil society.

⁷ Ministry of Defence, *Conscription Act (1438/2007)* (Finland: Government of Finland, Ministry of Defence, 2008).

Another country that employs a form of mandatory military service is the United States of America. It maintains a mandatory registration system known as the Selective Service System (SSS). While not active conscription per se, it does require all American men between the ages of 18 and 25 to register with the SSS for the expressed purpose of facilitating a draft should the need arise. This system of preparing for mandatory military service enjoys a lengthy history within the country having been in existence since 1917 when used to facilitate the raising of armed forces to fight in World War I. The SSS was also used for World War II; post-war, in order to maintain troop strengths/levels in the different theatres as occupying forces, some form of draft had to continue. President Truman at the time felt that an initiative called Universal Military Training (UMT) should replace the SSS;

...President Truman championed UMT for reasons that differed from the purely strategic concept that army leaders had created. President Truman portrayed UMT as improving national health, combating illiteracy, and inculcating citizenship.⁸

While a UMT clause was inserted into the Universal Military Training and Service Act of 1951, repeated attempts at passing the required legislation to realize the program was never itself passed and so the concept was ultimately defeated. Detractors of UMT, which exerted enough political pressure to ensure it never became a reality, included

...pacifists, most religious leaders, certain members of academia, leaders of labor unions, and even some military authorities. Pacifists argued that military training undermined the prospects of peace by militarizing the entire American population. They compared the UMT proposal to fascism...Religious leaders pointed out that military training undermined the morality of young men by placing them in training camps that festered with immorality...Many education leaders saw the UMT proposal as stifling college

⁸ William A. Taylor, *Every Citizen A Soldier: The Campaign for Universal Military Training After World War II* (College Station, TX USA: Texas A&M University Press, 2014), 1.

attendance...Labour leaders feared that military training would sap the economy...some military leaders came

to see UMT as undesirable because the training it would impart had little practical value...⁹

In the end, SSS remained as the program of choice for American political leaders and the public and was successfully used to call up/draft millions of young American men to replace the World War II combatants as occupying forces in both the European and Pacific theatres, to maintain a massive standing force during the Cold War, and to fight in the Korean and Vietnam wars. SSS continues on to this day with federal programs such as the G.I. Bill requiring proof of registration before allowing access to the benefits of their respective programs. While there have been political manoeuvres to try to abolish SSS (as recent as February 2016), the only amendment being entertained has to do with the inclusion of women in the SSS given the fact that all trades, including front line combat, are now open to women. Clearly the concept of conscription and mandatory military service in America is not a foreign or entirely negative concept. It is deeply embedded in the psyche of the nation.

And so while other countries have deeply entrenched concepts of obligatory military service for specific cohorts within society (ostensibly for not only defence but for social value as well), Canada has resisted such an idea. The term conscription has an emotive and polarizing impact on Canadian society that can be traced back to the earliest days of nationhood. Resorting to mandatory military service during World War I precipitated both social and political upheaval.

⁹ William A. Taylor, *Every Citizen A Soldier: The Campaign for Universal Military Training After World War II* (College Station, TX USA: Texas A&M University Press, 2014), 11.

Opposition to the draft mainly originated from Quebec since the overwhelming feeling was that French Canadians owed no particular loyalty to the United Kingdom or France; rather the feeling was that loyalty was owed to Canada alone. The government of the day, faced with the reality of mindboggling consumption of lives in trench warfare, eventually imposed mandatory military service which caused a great divide between Anglophones and Francophones as the majority of English speaking Canada favoured the draft while French speaking citizens did not. This was due to a variety of reasons not the least of which was the inability of Francophones to be trained and organized as Francophone units; rather French Canadian soldiers were placed in solely English speaking units and chains of command which destroyed morale and undermined esprit de corps. To make matters worse, the initial form of conscription contained clauses which allowed for exemptions. This was widely taken advantage of and as a result by 1918 the government had to amend the conscription act in order to remove these exemptions.¹⁰ By this time, with the stories of the horrors of trench warfare coming back to Canada with the wounded and broken soldiers, opposition to the conscription was almost unanimous.

In the end, conscription caused a significant rift between English and French speaking Canada that caused ripples in internal relations for decades to come. Enacting conscription only reinforced a narrative where Quebec and French Canadian citizens felt alienated and stoked the desire for ceding from Confederation. Serious rioting occurred in Quebec City which required the government to invoke the War Measures Act in order to send military forces to quell the violence. While the military was ultimately successful, it was not without injury and death and

¹⁰ Richard Jones and J.L. Granastein, "Conscription," *The Canadian Encyclopedia* (August 12, 2014, 2014), 6 May 2016.

considerable cost; politically it was a disaster for Borden and the Conservative party who did not have a presence in the province for decades to come.¹¹

The second conscription crisis in Canada occurred in 1944 as World War II raged. The Prime Minister of the day, William Lyon Mackenzie King, cognizant of what occurred in 1914 had pledged early on in the conflict that he would not invoke conscription as a means of assuaging Quebec fears and a rising sense of nationalism in that province under Bourassa. French Canadian citizens this time had all Francophone units to join and so volunteered for service without issue. However, with the war effort going badly for the Allies as country after country in Europe fell before the German Blitzkrieg, pressure mounted both domestically and internationally for Canada to provide more: more men, more equipment, more resources. Mackenzie King, caught in a precarious situation compromised; his government enacted in 1940 the National Resources Mobilization Act (NRMA) which allowed for Canadian men to be pressed into mandatory military service serving as a home guard but not being deployed overseas (“Not necessarily conscription, but conscription if necessary.”).¹² In 1942, a plebiscite was conducted that asked the question whether or not the government could be released from its promise of not invoking conscription if the need arose. While most of English Canada agreed with the premise, the province of Quebec vehemently opposed such a move. As the conflict dragged on, it became evident that voluntary service was not sufficient to replenish the losses being experienced overseas after such intensive campaigns as Italy and the Normandy invasion. In November 1944, under the provision of the NRMA, Mackenzie reluctantly invoked

¹¹ Canadian War Museum, *Conscription, 1917* (Ottawa, ON Canada: Government of Canada, 2005a).

¹² William Dunn and Linda West, "Conscription Plebiscite," *Canada: A Country by Consent* (2011), 6 May 2016.

conscription to raise approximately 17,000 men to send overseas. This caused significant political and social turmoil although not to the extent of the first conscription crisis.¹³

Fortunately for Mackenzie King the war in Europe ended with Germany's surrender in May 1945, six months after his announcement of sending conscripts to fight in that theatre.

Loaded with historical significance for Canada as a nation, and notwithstanding its acceptance in countries such as Finland and the United States of America, it is clear that any form of mandatory military service (conscription), even if couched within the social contract framework and as an obligation of its citizenry, would simply not be acceptable to Canadian society today. It is a concept with too strong roots and too negative implications that any public debate or discourse would be biased. It is therefore submitted that any possible public policy developed introducing a form of mandatory public service should not be restricted or limited to military service. It should clearly communicate that this is only one of several options.

Another option of mandatory public service could build off a program already in place: Katimavik. As a national volunteer program that enables young Canadians to be placed in communities throughout the country for the purpose of completing local community service, Katimavik as a model could easily be expanded to become a mandatory national service. Katimavik was a program introduced in 1977 by Pierre Elliot Trudeau's Liberal government. Envisioned as a means to introduce Canadian youth to the different walks of life across the breadth of the country, it placed small groups volunteers in communities where they would live and carry out volunteer work for short periods of time before moving on to the next town or city.

¹³ Canadian War Museum, "Politics and Government: Conscription", *Democracy at War: Canadian Newspapers and the Second World War*, Canada at War (Ottawa, ON Canada: Government of Canada, 2005b).

It specifically addressed regional differences by placing those participants from the south in communities in the north, participants from the east in communities in the west, and vice versa.

It stressed the importance of living and working in a place other than their own.

Katimavik's goals and design differ markedly from youth corps programs in the United States. Its overriding objective was to bring together Canadian youth from various backgrounds and teach them to live with and learn from each other. This objective was pursued through a variety of strategies: participants were selected randomly from within sex, language and regional categories and assigned by computer to 12-member groups composed of six females and six males. Each group was required to have participants from the different regions of Canada to include eight volunteers whose native language is English and four whose native language is French. Each group moved through the program together; the nine-month residential program was divided into three trimesters, each spent in a different area of Canada, two English-speaking and one French-speaking...¹⁴

These groups of volunteers would spend part of their time in communal homes with each other sharing domestic duties and learning to get along; the other part of their time in the communities would be spent billeted by families so as to expose the youth to the cultural diversity that existed in the country. During their time in these communities, Katimavik participants carried out volunteer work with different local organizations and sponsoring agencies. As volunteers, Katimavik participants were not paid a wage but rather provided with a per diem. On completion of the program they would also be given a \$1,000 honorarium. The work that the youth did was seen as a means to an end and not as the ultimate goal; it was viewed as a tool to “achieving or enhancing personal development among participants.”¹⁵ Interestingly, Katimavik had a military option that allowed volunteers to choose to undergo military training at a military

¹⁴ Bernard J. McMullan and Phyllis Snyder, *Youth Corps Case Studies: Katimavik, the Canadian Youth Corps* (Philadelphia, PA USA: Public/Private Ventures,[1986]).

¹⁵ Bernard J. McMullan and Phyllis Snyder, *Youth Corps Case Studies: Katimavik, the Canadian Youth Corps* (Philadelphia, PA USA: Public/Private Ventures,[1986]).

base under the Cadet Corps; this was sponsored, organized and supervised with the Canadian Armed Forces creating a “bridge between two traditional types of national service – the armed forces and volunteer service.”¹⁶ This aspect of Katimavik was very popular and often over-subscribed; notwithstanding its popularity, this aspect of Katimavik was phased out in later incarnations of the program. Katimavik flourished and by 1985 it was operating with a budget of \$19.7 million with space for a little over 1,500 participants. Sponsored by OPCAN, a not-for-profit government agency it received strong support and consistent funding from the federal government while the Liberal party was in power. With the election of Brian Mulroney’s Conservative party in 1984, the Katimavik program funding was terminated shortly thereafter. The program contracted and was kept alive in a significantly reduced format “as an outdoor recreational and training center in the Montreal suburb of Ile-Perrot”.¹⁷ It subsisted on donations and private sponsorship until the program was revived in 1994 with the intervention of the Youth Services Canada and eventual restoration of federal funding. The 1993 Canadian elections saw the return of the Liberal Party with a strong majority; Jean Chretien’s government convened in January 1994 and Katimavik was resurrected with consistent federal funding. From 1994 to 2012, the program expanded from 66 volunteers in nine communities that first year of renewed funding to over a thousand volunteers in some 90 Canadian communities. The national youth volunteer service also developed other programs which specifically targeted leadership training and eventually aboriginal youth engagement. It developed relationships with post-secondary institutions to grant Katimavik participants with college and university credits. In 2006,

¹⁶ Ibid.

¹⁷ Katimavik, "Katimavik: Our History," Katimavik, https://www.katimavik.org/our-history (accessed May 6, 2016).

Katimavik began to work on improved governance as this was one of its known weak points, i.e. quantifying its impacts and accounting for the federal money being spent. A report issued in June 2006 by a contracted third party accounting firm confirmed that overall Katimavik positively contributed economically to the local communities it was involved in.¹⁸ It was calculated that the return on investment for the federal government was for every dollar spent, \$2.20 was generated. The value of work done by Katimavik participants was measured using provincial minimum wage and community partner assessment. The report also goes on to say that Katimavik had social impacts that were harder to quantify or measure.¹⁹ The program underwent significant modernization between the years of 2007 to 2008 in order to address some of the findings of the study. This resulted in aspects of the leadership programs with Katimavik amended significantly to better track the impact on participant personal development. Another study was conducted in 2008; this time the focus was on national perceptions of the national youth volunteer service. It found that Canadian society at large strongly supported a national volunteer service. More than nine out of ten respondents agreed that "...volunteerism is a positive way of expanding citizen involvement (94 per cent)."²⁰ In addition, Canadians surveyed also recognized the positive impacts of volunteer work in the participating communities as well as on the participants themselves, reinforcing the economic findings of the earlier study.

Large majorities also agree that Canadians have a civic responsibility to contribute to the betterment of their communities and the country (89 percent), and that full time national

¹⁸ R.A. Malatest & Associates Ltd., *Final Report: Social and Economic Impact Study of the Katimavik Program* (Ottawa, ON Canada: R.A. Malatest & Associates Ltd.,[June 2006]), 3.

¹⁹ R.A. Malatest & Associates Ltd., *Final Report: Social and Economic Impact Study of the Katimavik Program* (Ottawa, ON Canada: R.A. Malatest & Associates Ltd.,[June 2006]), 3.

²⁰ Ekos Research Associates, *Canadian Views on Volunteer Service and a National Youth Service Policy* (Ottawa, ON Canada: Ekos Research Associates, Inc,[March 7, 2008]), 3.

volunteer service is a positive means of civic engagement among young Canadians (82 per cent).²¹

The EKOS survey explored the attitude of Canadians to various options with regard to focusing the national volunteer service as well as tweaking the direct benefits to participants in the program. Such things as creating specific programs within Katimavik that provided work experience and skills training for unemployed youth through community based projects (infrastructure construction and repair, environmental clean-up, working with the elderly and infirm) all resounded with those surveyed; there was also strong interest in seeing financial credit (up to \$5,000) provided to Katimavik participants for use in post-secondary education as a means of remuneration for a year of volunteer service. Financial compensation of other forms was also endorsed by Canadians surveyed; this ranged from housing subsidies that could be accessed by communities who hosted participants to investment of \$1,000 into an education fund that would be provided for post-secondary education to participants after completion of a full term with a Katimavik program. The report also confirmed that communication and knowledge of the existence of the Katimavik program was not effectively accomplished with a very low percentage of Canadians knowing about the initiative.²²

The report provided Katimavik with further impetus to amend the delivery of their services; the organization "...restructured the learning program for volunteers. Instead of focusing solely on improving skill-sets, the new model favours the development of our

²¹ Ibid., 3.

²² Ekos Research Associates, *Canadian Views on Volunteer Service and a National Youth Service Policy* (Ottawa, ON Canada: Ekos Research Associates, Inc,[March 7, 2008]), 5-6.

volunteers' personal, social and professional competencies."²³ It also created a variety of shorter (six month) programs that specifically targeted areas of interest and engagement: environment, second language and cultural awareness, and civic engagement. In 2008, Katimavik was granted status by the United Nations Economic and Social Council enabling the national youth volunteer service to meet internationally with other like organizations in different countries around the globe. This international engagement allowed Canada to have representation and a voice at such conferences as the International Association of National Youth Service (IANYS).

Unfortunately, with the election of the Stephen Harper Conservative government in 2012, funding was terminated in the first federal budget. Katimavik again was forced to minimize operations relying on private and provincial financial support to continue to deliver a much reduced program suite. With the election of Justin Trudeau's majority Liberal government (Justin Trudeau was a former director of Katimavik) and the announcement of \$25 million for youth programs, there has been renewed hope that the Katimavik national youth volunteer service will once again be resurrected and provided consistent and stable funding. The return of such a national volunteer service can only contribute to the overall strength and health of Canada as a nation.

Mandatory public service

Notwithstanding the philosophical substantiation for mandatory military service, it is now clearly understood that the history of conscription in Canada and the connected negative cultural bias would clearly not allow for something as drastic as mandatory military service to be

²³ Katimavik, "Katimavik: Our History," Katimavik, https://www.katimavik.org/our-history (accessed May 6, 2016).

imposed on the population. However, given the overwhelming acceptance of a national youth volunteer service, it is believed that a mandatory program modeled after Katimavik could be supported. The program could offer military service as an option. The national service could, in addition to offering monetary incentive (a nominal amount to be paid towards attainment of a post-secondary diploma or degree), grant credits towards a university degree or college diploma based on the work experienced gained. The imposition of a six to 12 month requirement of public service could incorporate aspects of the Finnish non-armed public service model as well. Channeling Canadian youth into communities across the nation to provide services and meaningful work would undoubtedly benefit all concerned. Reinforcing the principles of the social contract, it would also serve to enhance understanding between different cultures that exist in the different regions of Canada. Extrapolating from the economic study conducted in 2006 which confirmed that the Katimavik program generated a positive return on investment with approximately 1,000 participants, mandating a national service program for a cohort of hundreds of thousands would logically produce a correspondingly substantial positive economic return. And so while there would be a requirement for an initial investment in such a mandatory public service program, there would be hard and soft economic returns that would more than make up for the costs. In addition, the positive social impact on Canada would be tremendous as youth participating in the program would gain experience, skills and develop as persons and citizens, arguably contributing more positively to civil society.

Imposing such a mandated program is acknowledged to require a fundamental shift in culture. It would need a major social transition from a liberal citizenship model to a civic republican view of citizenship. Briefly, the liberal view of citizenship is based on legal status, “couched in a language of rights and entitlements. Individuals are required to do very little, if

anything, in order to become or remain citizens.”²⁴ The civic republican view contends that citizenship is about “duties...as a notion with a high valence given to practice and participation...It calls on citizens to become members of the community, to participate in the culture and governance of the community.”²⁵ Such a tectonic shift in Canadian culture and thinking would require strong direction and leadership from the centre. It has been suggested that other countries, like Australia, have adopted a more active citizenship model; in the United States John F. Kennedy gave voice to the concept in his inaugural speech in 1961, “And so, my fellow Americans: ask not what your country can do for you, ask what you can do for your country.” This precipitated a civic engagement that spawned the Peace Corps, galvanized the country to win the moon race and led to what could be argued as a golden age of Americanism when it seemed to American citizens that anything was possible. It is not entirely ludicrous to believe that Canada could be similarly inspired.

Conclusion

What the lawsuit filed by disabled veterans against the federal government has done is to highlight this nebulous thing called the social contract. It is believed that by opening the dialogue in as public a space as the court system Canadian society will have to realize that the social contract has implications not only for these aggrieved former soldiers but for Canadians as a whole. The lawsuit underlines the existence of this reciprocal relationship between the state and its citizens and draws attention to the lackadaisical and apathetic attitude towards citizenship the general population has in this country. It has been this paper’s position that Canadians need

²⁴ Gilles Paquet. *Deep Cultural Diversity: A Governance Challenge*. Ottawa, ON Canada: University of Ottawa Press, 2008, 71.

²⁵ *Ibid.*, 71.

to do more, to take a more active role, to be more engaged in order to fulfill the conditions of the social contract; that is, to shift from a liberal view of citizenship (status, rights based) to a civic republican view of citizenship (active, participative). Enlisting for military duties or participating in a national volunteer service are mechanisms through which citizens can become engaged and satisfy the conditions of the covenant that exists between the nation and its people. In a country such as Canada with its reliance on immigration to fuel its economic growth and underwrite its social programs, and with its official policy of multiculturalism encouraging those ethnic groups to preserve and celebrate their own identities, the importance of strengthening the sense of unity as one nation cannot be overstressed.

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