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OBTAINING CITIZENS' INPUT FOR A NEW CANADIAN CONSTITUTION: AN APPLICATION OF TRADEOFF ANALYSIS

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INTRODUCTION

The failures of the Meech Lake Agreement and the 1992 Charlottetown Accord referendum illustrate the difficulty of identifying the terms of a constitution which can attract the support of sufficient Canadians to survive the stresses of the constitutional amendment process. However, the problem of designing a compromise package which will attract the maximum overall support from a population consisting of segments with different preferences is not unique to the domain of constitution making. Considerable work in the social sciences has been devoted to problems of this very nature, under the name of conjoint or tradeoff analysis. This Information Bulletin examines whether a procedure used for collecting and analyzing stated preference tradeoffs could be used to address the problem of obtaining citizen input when trying to identify an optimal new Canadian Constitution. For our purposes, an optimal new Canadian Constitution is defined as one which can attract sufficient support

amongst all important segments of Canadian society to provide a viable starting point for discussions in any future round of constitutional negotiations.

The study's first specific objective was to determine the feasibility of using discrete choice analysis to obtain input on citizen tradeoff for an optimal Canadian constitution. A second specific objective was to establish the number of provisions citizens could handle in a constitutional trade-off study. Could they deal with tradeoffs amongst eight issues, perhaps the minimum number which would justify a study? Could they deal with a more complex task of trading off as many twenty issues? Finally, would members of minorities, such as francophones, feminists, or aboriginal peoples identify themselves when responding to such a survey, and so make it possible to identify whether they had distinct constitutional tradeoffs?

BACKGROUND

The failures of the Meech Lake Agreement and the 1992 Canadian constitutional referendum illustrate the difficulty of coming up with a new Constitution for Canada. It is difficult to generate a constitutional proposal able to attract and retain the support of enough Canadians, including sufficient members of important segments of society, to survive the stresses of the constitutional amendment process. Yet for many there remain constitutional problems to be resolved. Any further attempt to sort through the many constitutional alternatives (Watts 1991) to obtain agreement requires a more explicit knowledge of the citizens' views about how a constitutional agreement should be packaged.

CITIZEN INPUT TO THE CONSTITUTIONAL PROCESS

Prior attempts to obtain direct citizen input to the constitutional negotiation process have been of two types. Considerable resources were invested in both in the run up to the 1992 constitutional referendum.

The first, represented best by activities of the Spicer Commission (Government of Canada 1991), consisted of exploratory research processes. These can identify issues of concern, and provide a forum for individuals and interest groups to present their positions. However, exploratory research can not

measure the relative strength of various views, either for society as a whole or for any of the important segments of society. Indeed, the summary report from such a process will certainly be influenced by the point of view that the reporting body brings to the task.

The second, found in the expensive surveys conducted by the Canadian Federal and Provincial governments during the 18 month lead up to the referendum (Brooke 1993, p. 117-8), is polling. Polling research can identify changes in the level of support for a particular agreement over time, and can measure the support for particular provisions within an agreement, such as an 'elected Senate' or for a 'Social Charter'. However, traditional polling is not able to identify the tradeoffs which citizens would be prepared to make between the elements in a constitutional package. Yet knowledge of tradeoffs is necessary as "much of the last stage of the Canada Round clearly marked a return to the brokerage politics of Meech Lake. Deals were cut and concessions made in the interest of achieving a consensus, regardless of the overall effect of the final package on the constitutional framework" (Brooke 1993, p. 93). At the heart of the constitutional negotiation process are the tradeoffs between constitutional provisions that citizens are prepared to make.

TRADEOFF ANALYSIS

The problem of designing a compromise package of multiple attributes to attract the maximum support from citizens is not unique to constitution making. Over the past two decades considerable work in the social sciences has been devoted to similar problems, under the rubric of conjoint or tradeoff analysis. The most sophisticated work is in marketing, where dozens of articles have been written (Green and Srinivasan 1991) and thousands of applications have been carried out (Wittink and Cattin 1989).

METHODOLOGICAL ISSUES

Discrete choice-based conjoint analysis (Louviere 1988) is an attractive approach in identifying the optimal design for a complex multiattribute object (what a constitution is). This approach goes a step beyond traditional conjoint. While the latter uses preference ratings (or rankings) to obtain trade-offs for individuals, discrete choice analysis uses the stated

choices of individuals to obtain aggregate or group level tradeoffs. As a result, discrete choice analysis can be used for problems involving many more attributes and has been successfully applied to problems such as the design of new telecommunication services, hotels and amusement parks (Timmermans and Louviere 1991). These applications have obtained results both for the entire population and for important population segments. In choice-based conjoint analysis, respondents report their choice for a carefully designed subset of the possible combinations of attributes. The set of multiattribute designs are presented in a self-administered questionnaire. The values and tradeoffs implicit in the responses to the designed subsets can identify the design which would generate the greatest level of overall support.

Applications to public policy design of similar methods have yielded encouraging results. Finn and Louviere (1992) successfully demonstrated how a best-

worst scaling form of discrete choice analysis could be used for a public policy issue, and Finn, Louviere and Williams (1993) found the same procedure did not adversely effect the response rate in a mail survey on a minor public policy problem. However, despite success in addressing other problems we have as yet no experience with the use of discrete choice for a non-tangible concept such as a constitution.

In constitution making there are a very large number of provisions that need to be considered when attempting to develop a new constitution. Hence, the multiattribute designs are going to be complex. There is also the question of whether citizens are sufficiently well informed about intangible constitutional issues to provide useful trade-off responses. And finally there is concern about whether sufficient citizens, including members of minority groups, will respond to a survey on constitution making. To answer these questions we undertook a pilot discrete choice tradeoff study using an Alberta based sample.

FEASIBILITY CRITERIA

What criteria might be used to see if a discrete choice model is an effective way of obtaining citizen input? First, the study should generate a satisfactory response rate. While it is difficult to name a precise standard, the 75% participation rate in the 1992 constitutional referendum would be a useful upper bound. A response rate equal to the norms achieved in polling research might be a minimum standard. We used the research to determine if in the survey a patriotic appeal -- 'help save Canada' -- would produce a higher response rate than a conventional appeal for support of academic research.

Secondly, support for a new Canadian constitution would have to vary considerably with whatever combinations of provisions were contained in the survey.

Thirdly, this variation would have to be systematically related to particular constitutional provisions.

DISCRETE CONSTITUTIONAL CHOICE; WHAT STRUCTURE?

DECISION DIMENSIONS

Because of the 1992 Constitutional referendum, a host of books and commentaries are available describing the issues believed to be important for the campaign (Watts and Brown 1991, Davidson 1992, Jeffrey 1993, Russell 1993). Therefore to apply discrete choice analysis constitutional issues and alternative positions were identified from published material about the Charlottetown Accord referendum campaign. The twenty issues most often discussed and alternative positions on them are in Appendix I. This is the glossary of constitutional issues provided to respondents in the study.

STRUCTURING CHOICE ALTERNATIVES

All 20 issues in Appendix 1 were used for the more complex tradeoff task condition. Nineteen of these could be reasonably well captured by juxtaposing two options, while the final issue required four different options. The twenty issues were not expected to be of equal salience. We wished to include some for which there would be little awareness, together with others of concern to almost all citizens. The second tradeoff task was reduced to the eight (sometimes restated) issues judged of most universal concern. Five could be described with two options, while the remaining three issues required three. The specific issues and the options posed in the second condition

are reported later in Table 5.

STRUCTURING THE CITIZEN'S DECISION

Choices of a multiattribute offering not only depends on its own content but also on the alternatives available for selection. Here, choice translates to percent approval in a constitutional referendum. Thus, the percent approval may depend on the alternatives citizens perceive as implicit in a rejection of the proposal. Thus, research designed to identify the mapping between constitutional provisions and approval must explicitly identify the reasons which might underlie a decision not to vote for the proposal. Groups opposed the Charlottetown Accord for quite different reasons. Some voted no to preserve a specific aspect of the existing constitutional arrangements. Some opposed the Accord because they believed it weakened the ability of the Federal Government to introduce new national social programs. Others rejected it in the belief this would best serve the objective of Quebec sovereignty. Thus to assess the support for constitutional proposals, respondents were offered the choice of approving a proposed constitution, rejecting the proposal to maintain the existing Canadian constitution, and rejecting the proposal in the hope of precipitating a more radical restructuring of Canada, such as a sovereign or independent Quebec.

METHOD

The experimental design controlled for implementation factors such as the nature of the cover letter appeal. For the more complex task, the levels of the twenty constitutional attributes were accommodated in 32 profiles using a main effects only design. However, previous experience with marketing problems suggests few citizens are prepared to respond to 32 profiles, so they were divided into four blocks of eight, and a block used in each of four versions of the survey. For the less complex task, the options for the eight constitutional attributes could be accommodated in 16 profiles using a main effects only design. These 16 were similarly divided into two blocks of eight for alternative versions of the survey. Thus both complexity levels asked citizens to respond to a set of eight profiles.

Each of the six versions of the tradeoff task was included in a 16 page mail questionnaire. The survey booklet provided instructions, an example of how to respond to its tradeoff task, and then a single page was given to each of the eight constitutional profiles. Also included was a question asking respondents whether they considered themselves associated with one (or more) of twelve groups, (e.g., francophone, metis, or feminist) identified as potentially having different

views on a constitutional deal during the debate over the Charlottetown Accord. For convenience, the glossary used to explain the options of each constitutional issue was provided as a separate sheet in the mailing.

DATA COLLECTION

A sample of six hundred Albertan households was drawn and randomly assigned on an equal basis to the different versions of the questionnaire. Each group of 100 was then subdivided into four to receive different versions of the cover letter accompanying the booklet. The personalized cover letters varied by preferring in one case a male, and in the other a female member of the household to respond to the survey. To test the effect on the response rate of alternative cover letter themes, one version contained a 'help save Canada' plea, while the other used the more conventional appeal for the recipients to help support academic research. Survey packets were mailed in mid-July 1994, and a follow-up postcard was sent to all members of the sample at the end of the month. Most responses were obtained within four weeks of the initial mailing, and those received by September 15 are in the results reported below.

RESULTS

RESPONSE RATE

Table 1 reports the number of responses received for each version of the survey for each communication condition. The response rate ranged from 32 percent for the eight provision version with a cover letter seeking support for academic research and asking for a male to respond, to 16 percent for the 20 provision

version with the cover letter making a patriotic appeal to help save Canada and asking for a female to respond. There was no significant difference in the speed of response, with the less complex version of the survey, on average, being returned just half a day earlier than the more complex version.

**Table 1
Response Rates Obtained**

Condition	Sample Size	Surveys Delivered	Refusals Returned	Responses Returned	Return Rate
20 Attribute Survey					
Save Canada Appeal	200	186	2	37	19.9
Male	100	95	0	18	18.9
Female	100	91	2	19	20.9
Academic Research	200	182	1	36	19.8
Male	100	92	0	15	16.3
Female	100	90	1	21	23.3
20 Attribute Total	400	368	3	73	19.8
8 Attribute Survey					
Save Canada Appeal	100	93	1	22	23.7
Male	50	48	1	12	25.0
Female	50	45	0	10	22.2
Academic Research	100	91	0	28	30.8
Male	50	47	0	15	31.9
Female	50	44	0	13	29.5
8 Attribute Total	200	184	1	51	27.7
Grand Total	600	552	4	124	22.5

ITEM RESPONSE RATES FOR THE TRADEOFF TASKS

Table 2 reports the number and proportion of constitutional profiles for which respondents reported

- (i) how they would vote,
- (ii) indicated they were undecided and why,
- (iii) reported they would not vote,
- (iv) reported the specific profile made the task too difficult, or
- (v) missed the tradeoff item.

Items (i) to (iii) were judged to provide useful input, whilst items (iv) and (v) were considered as evidence that the respondents had difficulty

completing the tradeoff task. The eight provision version produced 80 percent useful responses, significantly higher than the 73 percent produced by the 20 provision version.

Moreover the proportion of useful responses declined significantly from .83 for the first profile in the sequence of eight constitutional profiles, to just .72 for the eighth profile in the sequence. Statistical evaluation of these results leads to the conclusion that the proportion of useful responses could be increased somewhat by reducing the number of profiles presented to each respondent.

Table 2
Item Response Rates Obtained For Constitutional Profiles

	20 Attribute Survey		8 Attribute Survey	
	n	%	n	%
Total No. of Respondents				
Useful responses				
Indicated how they would vote	360	61.6	263	64.5
Indicated why undecided	47	8.1	42	10.3
Would not vote	22	3.8	22	5.4
Total useful	429	73.5	327	80.1
Uninformative responses				
Task too difficult to respond to	60	10.3	40	9.8
Missed the item	95	16.3	41	10.0
Total uninformative	155	26.5	81	19.9
Total number of profiles presented	584	100.0	408	100.0

SUPPORT FOR CONSTITUTIONAL PACKAGES

There was considerable variation in the degree of support for the alternative constitutional packages presented. Support for the 8 provision constitutions varied from a maximum of 76 percent to a minimum of 24 percent of those respondents who stated how they would have voted. Support for the 20 provision constitutions varied from a high of 62 percent to a low of 12 percent.

We applied logit models to investigate whether support was systematically related to particular constitutional provisions.

As shown at the bottom of the Table 3, the logit

model was significant at the .05 level for the less complex eight provision constitutional task. The provisions with a significant impact on reported approval were 'first people's government' and 'criterion used for senate representation.' The next most significant provision was 'the Canada Clause', at a marginal .10 level. In contrast, as shown in Table 4, the logit model was not significant for the 20 provision constitutions, with 'the Canada Clause' the only provision which had a significant impact on approval. Thus, the less complex task appeared to do a better job of identifying the issues which would cause Albertans' support for a constitutional package to vary.

Table 3
Logit Model Significance of Attributes in 8 Attribute Constitutional Package

Attributes	DF	Wald Chi-Square	Prob
Unity and Diversity: The Canada Clause	1	2.68	.102
Economic or Social Clauses	2	1.84	.398
The Senate:			
Procedure for selecting senators	2	1.35	.510
Representation criterion	1	4.29	.038
Senate powers	1	0.79	.375
Divisions of Responsibilities	2	0.11	.945
First Peoples' Governments	1	8.30	.004
Amending Formula	1	0.34	.560
Total model		19.78	.048

Note: Tests the null hypothesis the least square means for an attribute are equal.

Table 4
Logit Model Significance of Attributes in 20 Attribute Constitutional Package

Constitutional Package Attributes	DF	Wald Chi-Square	Prob
Unity and Diversity: The Canada Clause	1	4.03	.045
Economic or Social Clauses:			
Social charter	1	0.10	.754
Guaranteed free movement	1	1.46	.227
Guaranteed property rights	1	0.28	.600
The Senate:			
Selection procedure	3	3.62	.306
Representation	1	0.23	.629
Gender quotas	1	0.00	.974
Aboriginal peoples seats	1	1.21	.272
Powers	1	0.40	.528
Special 'double majority'	1	1.10	.293
Supreme Court Judges:			
Regional quotas	1	0.01	.915
Appointment method	1	0.04	.835
First ministers conferences	1	0.58	.446
Divisions of Responsibilities:			
Shared responsibilities	1	0.03	.867
Reallocation direction	1	0.04	.832
Federal initiatives	1	0.01	.933
First Peoples' Governments:			
Self government	1	0.64	.424
Scope of laws	1	0.00	.965
Amending Formula:			
Final consent procedure	1	0.35	.556
Level of agreement	1	2.91	.088
Whole model	22	16.43	.794

Note: Tests the null hypothesis the least square means for an attribute are equal.

OPTIMAL CONSTITUTION FOR ALBERTANS

Too few responses were obtained to draw any definitive conclusions as to Albertans' preferred constitution. Nevertheless, we want to illustrate how a tradeoff exercise could be used to assist in constitutional negotiations. To do so we use our 8 provision data for this purpose, by predicting:

- (1) which 8 provision constitution would draw the greatest support from Albertans;
- (2) the support for a constitution containing concessions probably necessary to obtain an agreement with Quebec.

To help present these results, Table 5 lists each constitutional issue with the options used in the 8 provision task. For Table 5, Xs in a column identify the provisions of a particular constitution. The percent of Albertans who would vote yes in a referendum on the constitution can then be reported at the foot of the column.

The eight provision study presented a total of 16 constitutions to respondents. The first column of Xs in Table 5 identifies the constitution which attracted the least support, with 24% of respondents who evaluated it indicating they would vote yes in a referendum. The second column of Xs in Table 5 profiles the constitution which attracted the most support. 76 % of those who evaluated this constitution indicated they would vote yes for it. As shown in the third column, the logit

model we estimated predicted 78% support for this constitution.

The sixteen constitutions included in the study are only a fraction of the 864 constitutions which could have been generated from the listed provisions. The logit model enables us to predict the support which would have been received by each of these possibilities. Thus, the constitution predicted to attract the most support can be identified. As shown by comparing columns three and four in Table 5, by switching to a constitution with 'senators all chosen by direct election' and an amending formula providing for 'final consent achievable by referendum only,' the expected level of support increases from 78% to 86%.

The logit model can also predict the support which Albertans would provide for a possible compromise between their preferences and those of residents of other provinces, such as Quebec. For example, citizens of Quebec might require a constitution to include 'a Canada clause which recognizes Quebec as a distinct society' and 'providing for each of five Canadian regions to have an equal number of senators' before they would offer a new constitution majority support. As shown in the final column of Table 5, it would still be possible for a constitution with these provisions to attract yes votes from 70% of Albertans.

Table 5
Albertans Support for Different Constitutional Proposals

	Attribute	Least	Most	Model	Maximum	Compromise
Unity and Diversity: The Canada Clause						
• Clause recognises Quebec as a distinct society (with unique language, culture and law)	1	X				X
• Clause treats Quebec just the same as any other province	1		X	X	X	
Economic or Social						
• A social charter makes commitments to social policy objectives in five areas	2	X				
• No new social charter or economic union commitments	2					
• A guarantee of free movement of persons, goods, services and capital within Canada	2		X	X	X	X
The Senate						
• Senators all chosen by direct election	3				X	X
• Provinces and territories free to determine their own procedure for selecting senators	3		X	X		
• All senators appointed by their own provincial or territorial governments	3	X				
• All ten provinces to have an equal numbers of senators	4		X	X	X	
• Each of five 'Canadian regions' to have an equal numbers of senators	4	X				X
• Powers equal with the House of Commons, except on taxation and money bills	5		X	X	X	X
• Power to delay legislation for 30 days and to review government appointments	5	X				
Divisions of Responsibilities and Federal Spending Powers						
• Preservation of current areas of shared federal and provincial responsibility	6					
• Decentralization of power over areas of shared responsibilities to the provinces	6					
• Centralization of power over areas of shared responsibilities to the Federal government	6	X	X	X	X	X
First Peoples' Governments						
• Entrenched right to a new level of aboriginal self-government within Canada	7		X	X	X	X
• No provision creating a right to self government for aboriginal persons	7	X				
Amending Formula						
• Final consent achievable through Federal and Provincial legislative processes alone	8	X	X	X		
• Final consent achievable by referendum only	8				X	X
PERCENT OF ALBERTANS WHO WOULD VOTE YES IN A REFERENDUM		24	76	78	86	70

VIEWS OF MINORITY GROUPS

To adequately represent minority groups whose constitutional views may be significantly different from those of the majority, a useful consultation process must allow their members to be identified, and the tradeoffs of each group to be captured. As a first step in assessing whether these things could be done, this study simply asked whether respondents would identify themselves as members of any of the minorities whose views would need to be obtained. The percentage of Albertan respondents reporting associations were: ethnic Canadians, 9 percent; a

visible minority, 7 percent; feminists, 6 percent; persons of colour, 3 percent; francophones, 2 percent; and differently abled, 2 percent. None of the respondents indicated they were first nation, metis or inuit. Clearly capturing the views of some of these smaller groups would necessitate the use of an alternative sampling approach. Because we were conducting a pilot study, none of the minority groups were large enough to be able to see if their responses differed from those of the majority.

CONCLUSION

This research asked whether discrete choice tradeoff analysis, a procedure often used by marketers to collect and analyze stated preference tradeoffs for products by segments of consumers, would be useful in identifying an optimal new Canadian constitutional package. An optimal constitution was defined as one supported by an overall majority of citizens, and also acceptable to important identifiable minority groups. A constitution identified by such a process could provide a useful starting point for discussions in any future round of Canadian constitutional negotiations. Further, the process itself could provide a useful tool for various governments wishing to obtain citizen input during a period of constitutional negotiation. While one small scale study obviously cannot provide a definitive answer, our results are encouraging.

First, the mail survey of Albertans attracted an acceptable response rate for a single mailing with a postcard follow-up. The most acceptable rate was obtained with the version of the survey incorporating the less complex, 8 provision tradeoff task rather than that containing a 20 provision task. The item completion rate for the tradeoff task was also significantly better for the less complex task. Thus, this pilot study would suggest that individual respondents should not be expected to respond to tradeoff tasks involving more than about eight constitutional provisions. Fortunately, this does not necessarily preclude obtaining tradeoffs amongst higher numbers

of provisions (such as the 20 tested here). Larger numbers can be handled by partitioning the provisions into separable sets of about eight at a time. Perhaps more surprisingly, there was no evidence that citizens who received a cover letter attempting to convey a patriotic appeal to help save Canada would be more likely to respond than citizens who received a cover letter making a standard generic appeal to support academic research on a topic. This may reflect the fact that Albertans are still feeling 'constituted out' following the 1992 referendum, rather than any lack of concern over Canada's future.

Secondly, while most respondents provided reactions to all eight constitutions included in a survey, the item response rate declined significantly from the first to the eighth profile they evaluated. Future studies might be better served if the number of tradeoff responses requested of each respondent were reduced from the eight used here to perhaps four or five.

Thirdly, our results suggested that a self association procedure could be used to identify members of several of the minority groups whose views would need to be assessed in a larger scale study. However, the representation of some minority groups was disappointingly low. A separate sampling plan may be necessary to obtain sufficient data to analyze the constitutional tradeoffs for members of some minorities.

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Appendix A

Glossary of 20 Issues For a New Canadian Constitution

Unity and Diversity: The Canada Clause

1. Clause content The clause listing the fundamental characteristics of Canada, such as a federal parliamentary system, official bilingualism, and multiculturalism, also affirms the role of the Government of Quebec in preserving and promoting Quebec's "distinct society" within Canada, to recognize Quebec's differences as "a French-speaking majority, a unique culture and civil law tradition",
- OR The clause listing the fundamental characteristics of Canada treats Quebec just the same as any other province.

Economic and Social Clauses

2. Social charter A charter commitment to five social policy objectives: universal, accessible, and comprehensive health care; adequate social services and benefits, including access to housing, food and basic necessities; high quality education; rights of workers to organize and bargain collectively; protection of the environment,
- OR No social charter making commitments to social policy objectives.
3. Economic union A strengthening of the Canadian economic union, through a guarantee of free movement of persons, goods, services and capital within Canada,
- OR No provision for strengthening the economic union.
4. Property rights A guarantee of individual property rights for Canadians,
- OR No provision guaranteeing individual property rights.

The Senate

5. Senators Senators all chosen by direct election,
- OR Provinces and territories free to determine their own procedure for selecting senators,
- OR Appointed by their own provincial or territorial government,
- OR Appointed by the federal government.
6. Representation Equal representation for all provinces,
- OR Equal representation for five designated 'Canadian regions', namely Maritimes, Quebec, Ontario, Prairies, British Columbia & Territories.
7. Quotas A provision requiring an equal number of male and female senators,
- OR No restrictions on the numbers of male or female senator,
8. Special seats Additional senate seats to provide at large representation of aboriginal peoples,
- OR No additional seats reserved to represent aboriginal peoples.
9. Powers Equal with the House of Commons, except on taxes and money bills,
- OR Power to delay House of Commons legislation for 30 days and to review government appointments.
10. Special majorities An overall majority and a majority of francophone senators (a 'double majority') needed to approve bills that materially affect the French language or culture,
- OR No special status for bills that materially affect the French language or culture.

Supreme Court of Canada

11. Judicial quotas Judges chosen according to regional quotas, including three from Quebec,
OR Judges selected on merit without regional quotas, apart from three from Quebec.

12. How appointed Judges appointed solely at the discretion of the Prime Minister,
OR Judges selected by the Prime Minister from lists of nominees submitted by the provincial and territory governments.

Federal-Provincial Relations

13. First Ministers An annual conference of first ministers (the prime minister and all provincial premiers) would be entrenched,
OR First ministers' conferences continue to be on an ad hoc basis.

Divisions of Responsibilities and Federal spending powers

14. Shared power Preservation of current areas of shared federal and provincial responsibility, such as forestry, mining, tourism, housing, recreation and municipal and urban affairs,
OR Elimination of all areas of shared federal and provincial responsibility.
15. Relative powers Greater decentralization through the reallocation of power over areas of current shared responsibilities to the provinces,
OR Greater centralization through the reallocation of power over areas of current shared responsibilities to the Federal government.
16. Spending rights Continued Federal right to initiate new cost shared spending programs within areas of exclusive provincial jurisdiction,
OR Elimination of the Federal right to initiate new cost shared spending programs within areas of exclusive provincial jurisdiction.

First Peoples

17. Self-government An inherent right to a new third order of aboriginal self-government within Canada (in addition to existing federal and provincial levels of government) would be entrenched in the constitution,
OR No provision requiring self government for aboriginal persons.
18. Scope of laws Laws passed by aboriginal governments would have to be consistent with Federal and Provincial laws which are essential to the preservation of peace, order and good government in Canada, and the Canadian Charter of Rights and Freedoms,
OR Aboriginal governments free to make laws within their designated areas of responsibility.

Amending formula

19. Final consent Final consent to amendments possible through Federal and Provincial legislative processes alone,
OR Final consent achievable by referendum only.
20. Consent criteria Consent of the country as a whole and of two thirds of the provinces representing 50% of the population,
OR Unanimous consent of the country as a whole and all ten provinces.