

Constitution Amendment, 1987

Mr. Fulton: One of the Members across asks about my two forefathers. I believe that Peter Mitchell, who was the Premier of New Brunswick, was a Conservative and that James Stewart, who was the Premier of Prince Edward Island, was a Liberal.

Mr. Crosbie: Then you are a typical NDPer.

Mr. Fulton: As we progressed westward, our politics have changed. Most of my relatives in Alberta and British Columbia are New Democrats to a one.

I want to spend a few moments talking about one of the grave errors which I think occurred in the constitutional process and why there are raw nerves in many areas of the country. The construction of constitutional consensus was missed out. For a constitution, a charter, our courts and a society to work truly all Canadians must trust and be confident that a proper process was gone through. Public involvement must be first rather than last. I believe that all Members who participated on the joint constitutional committee found that not being able to travel and not giving all Canadians the opportunity to appear at the committee until after the fact has created many raw nerves.

We were served up a constitutional meal without a chance to ever see the menu. The 11 cooks at Meech Lake left out some vital ingredients—the spice of participation and the choice of democratic involvement.

With the support and good will of all Canadians, Quebec has joined as a full and willing partner in Confederation and constitutional affairs. The Accord makes good the promises to Quebec of seven years ago when Quebecers said yes to Canada. It was very much time that the Parliament and the people of Canada responded to that deep-felt need in Quebec.

I listened with care to what Mr. Trudeau had to say when he appeared before the committee. I and many other Canadians disagreed when he said that the division of power between the federal and provincial Governments was disturbed. After studying carefully the wording of the Accord and having listened to and read the evidence of many of the witnesses, I am certainly convinced that those powers were not disturbed. In fact, many of the powers that had been exacted through practice now exist in the wording of the Accord. I will come to those in a moment.

I will deal for a moment with the fact that Quebec is now properly recognized as being distinct. That has been done without giving Quebec a different constitutional status than that of British Columbia, Alberta, the Maritimes, or any other province in this country.

Just this year in Montreal the New Democratic Party passed a resolution supported by delegates from every province and both Territories which stated: "The uniqueness of Quebec as the one province within which the majority, language and culture is French—". That policy was first enunciated by the NDP in 1961. I am proud to belong to a Party that has

remained consistent for many decades in pursuing the aspirations of Quebecers and all Canadians and to have now seen that become a constitutional reality.

The federal Government's authority to set up national cost shared programs, even in areas of exclusive jurisdiction, is unimpaired and likely even strengthened, as we heard from many of the witnesses. Provinces can opt out of programs which are set up entirely within their jurisdiction, but only with compensation when their programs achieve the national objectives set out in legislation. When a national day care program is set up, we hope in the next few years, it will only be possible for provinces to opt out when they set up child care programs which meet the national objectives set by this Parliament. That is a very good thing.

However, in my view the First Ministers demonstrated a collective blindness to the reality of some parts of Canada and some parts of our history in some very key areas. In particular, I want to spend a moment discussing our first nations and first citizens. Canada is more than only a duality of French and English. The founding nations were the first citizens, the first nations, of over 30,000 years' duration with powerful internationally recognized cultures and highly evolved laws and traditions. They included the Niska, Inuit, Haida, Huron, Beothuk, Iroquois, Tsimshian, Nootka, Haisla, Tahltan, and Tlingit to name just a few.

As we heard from Senator Lowell Murray and others speaking for the Government, out of an abundance of caution special protection was provided in Clause 16 for the constitutional wording on aboriginal rights that have been stalled by political inaction and bureaucratic inertia, not because of a lack of public support.

• (1720)

In my Province of British Columbia, it has been found through polls and discussions among people on the street that the majority of British Columbians support and endorse negotiated settlements on the questions of aboriginal title and rights in the Province of British Columbia. It is political inertia and the blindness of the political leadership at the provincial level in British Columbia, in other provinces and certainly in Ottawa that is responsible for the lack of substantial movement one would have expected in the wording of the Constitution Act, 1982 which recognizes and affirms aboriginal rights and title which have been practised by some aboriginal cultures in Canada for 30,000 years or more.

In facing the reality and vital importance of providing an avenue for the entrance of Quebec, some key Canadian realities were sidelined. This includes fairness to the aboriginal peoples. First, in terms of the First Ministers' meeting on aboriginal rights and self-government, we will be moving an amendment to attempt to secure in the wording of the Accord and the motion before the House that aboriginal rights and the full participation of aboriginal leaders takes place at the meetings as we propose, as well as in terms of any First