

for years that the renewal of the Constitution is the most important question in the country, and I am deeply grateful to our Prime Minister (Mr. Trudeau) who has worked without respite. Mr. Speaker, I believe that when future generations will look back they will readily acknowledge the greatness of this Prime Minister who has so firmly urged Canadians to face this challenge. So now we must answer the question as to whether we, as Canadians, have risen to the occasion.

[*English*]

That is my message this afternoon, that is my small, modest contribution to this great constitutional debate. Have we been equal to the challenge that has been laid before us? This is a time of joyous outpouring. We will soon forward this resolution to Her Majesty. With the passage of the enabling legislation at Westminster and the subsequent proclamation here in Canada, we will at last have our own Constitution. We will end the anomaly of being a major power in the world, a major independent country with its Constitution residing in another country. This process has a particularly relevant meaning for me because I came with my family from Great Britain some 20 to 25 years ago and I have always found it somewhat incongruous that the country that I knew and learned about in my education as a young boy was really not independent and had not really attained the last vestige of independence. It is particularly touching for me to have been a participant as a Member of Parliament at this significant time in our history, when we are at last making Canada fully and truly independent in every sense of the word.

The proclamation of these changes will finally give us in this country a way to amend our Constitution. It will also give us a Charter of Rights and Freedoms. This is cause for joy. However, our joy must be tempered by the knowledge of what might have been. To follow on the comments made by the Leader of the New Democratic Party, I must say that what was the best charter of rights, in his words, is still an excellent Charter of Rights and Freedoms. We all have reason to be proud of the charter, but improvements still must be made. The Hon. Leader of the Opposition (Mr. Clark), the Hon. Leader of the New Democratic Party (Mr. Broadbent), as well as the Minister of Justice (Mr. Chrétien), touched upon the need to make improvements, to go forward. By passage of this resolution constitutional change will not be over. It is but another phase in the ongoing constitutional development in the history of the nation.

● (1530)

There are many purists in the House. I was one who, along with the Prime Minister (Mr. Trudeau), with just about everyone on this side of the House as well as many members on the opposition side, believed that fundamental rights and freedoms were so sacrosanct and so inviolate that they should be entrenched in a constitution beyond the temporal winds of legislators such as ourselves. We have heard many speeches in

The Constitution

the debate from hon. members who have described Canadian legislatures and indeed this Parliament—of course I am thinking of the ignominious incident in the Second World War dealing with Japanese Canadians—as not having been the best guarantors of individual rights. This is why the charter which has emerged over the past year in debate in the House and through the participation of thousands of Canadians was such a noble document. It proposed that all basic freedoms and rights would be entrenched in the Constitution free of any legislative qualification.

The constitutional accord which was signed two weeks ago after much deliberation entrenches rights. However, fundamental freedoms, legal rights and equality rights are subject to a provincial or federal legislative override. In addition, as has been pointed out, our original intentions as expressed in the original resolution in the House on the question of native's and women's rights have not yet come to fruition. They were not included in the constitutional accord. Indeed this is a glaring, startling and regrettable omission which we must all resolve to correct, whether it is to be corrected in the days which follow in debate in the House or whether it is to be corrected after patriation with the new amending formula which will be at our disposal.

We must address these questions. It has been argued with some justice that it will be difficult to override the charter, that the charter will provide an imperative for our courts that will make it very, very difficult for any legislature to tamper with the provisions relating to rights or to pass any legislation which would derogate from those rights. I shall not rest, and I am sure there are others in the House and in the country who will not rest until we achieve, once and for all, the complete entrenchment of these rights from any legislative sanction.

[*Translation*]

Mr. Speaker, first of all let us look at one of the main reasons why constitutional reform was so important for Canada, namely the entrenchment of the constitutional guarantees which ensure the survival of the French language and culture. As an English-speaking Canadian, I must admit that I am not proud of the way French-speaking Canadians have been treated for many decades. The two major examples of the shameful treatment of the French minority by the English majority have already been outlined during this debate. They happened in Manitoba in 1890 and in Ontario in 1912. There have been many other such cases, the most recent one being the air traffic controllers strike in 1976. Unfortunately, Mr. Speaker, it was the ambivalence of English-speaking Canadians which showed once more that francophones cannot rely on the good will and the generosity of the legislators to guarantee their language rights.

Mr. Speaker, the survival and the promotion of the French language are important concerns for the Liberal Party of Canada, the Liberal Party of Quebec, and of course, the Parti Québécois. However, the latter believes, because of its destructive and reactionary ethnically-based prejudice, that the pro-