

our country. That would require unanimity as well. Thus there is a protection to people in the territories built into this Accord, which I recommend for support on the floor of the House of Commons.

We have an opportunity to go forward on this matter and, indeed, with respect to the matter of aboriginal rights on a formalized basis. We have now agreed for the first time in our country to have constitutional amendment as an annual process, to work together to try to develop a country which will be not only more sensitive to the concerns of all its residents and citizens but, indeed, responsive to all areas and regions of the country.

I wish to deal briefly with one or two items that have been raised with respect to the 1987 Accord and some of the misconceptions that may have been brought forward. I think that this is a strong and solid document which recommends itself for the unanimous support of all Members of the House of Commons and of the Senate, if I may be permitted to refer to the other place. This is an opportunity for us to go forward and to say to Quebec, "Yes. We want you as part of Canada to play an important and integral role".

Before we start to become involved in a discussion of the wording or some element that some Hon. Members might have preferred to be in the Accord, I ask all Hon. Members this. Consider the consequences of having failed over the course of the long and protracted negotiations that have taken place over the last three years, which negotiations have culminated in the Meech Lake Accord and subsequently in the agreement signed formally by all Premiers and the Prime Minister last Thursday. What kind of country would we have faced today if we had come out of those meetings saying no to the Province of Quebec? This has to be an underlying consideration. I cannot as a western Canadian visualize as a western Canadian the type of insular attitude that would be taken by some who would say to an important part of our country, "It does not suit our convenience right at the moment, therefore we are not going to pay attention to your legitimate concerns and your wish to become part of Confederation".

If that was the attitude prevalent with respect to the part of Canada which I represent, then my attitude toward Confederation would be severely limited and negatively impacted. Instead of standing in our places and saying that we wished that the Constitution contained this word or that word, let us be forward-looking. Let us be generous. Let us support what I say and suggest is a solid supportable document which, in fact, strengthens Canada and all parts of it.

**Some Hon. Members:** Hear, hear!

**Mr. Hnatyshyn:** The Accord has two essential characteristics which reflect the Canadian federation. The first is the incontestable fact that a fundamental characteristic of Canada is the existence of persons who speak one or other of our official languages, together with the fact that Quebec, within Canada, possesses a distinctive heritage. This is a feature which is indeed recognized by our founding constitutional

### *Supply*

document of 1867, which singles out Quebec's civil law system, the use of both official languages in the law, courts and legislature of that province, as well as at the federal level. The second is the affirmation of the basic nature of a federal system of government wherein the component units, that is, the provinces, have a legitimate, shared interest in the establishment and composition of the central institutions of government. These bodies do not exist for the sole interest or benefit of the central government.

This is a point that was made very clear by the Supreme Court of Canada when, in 1980, it struck down a unilateral attempt by the federal Government to reform the Senate. This is equally true with respect to areas such as immigration, about which the provinces already have a concurrent jurisdiction with Parliament. It is true about spending power with respect to which the provinces take an obvious interest in shared cost programs in areas of exclusive provincial jurisdiction. Nor is it surprising that the provinces be viewed as standing on a basis of equality when decisions are being made about the fundamental alterations in the central institutions of the nation or in the evolution of its political structure. These are the essential features of the Canadian federation which are the heart of the new constitutional Accord, a translation of basic facts into legal reality.

At the same time the central government and its capacity to govern as a strong government have not been impaired. Its full powers to ensure a united and strong Canada with English, French and multicultural dimensions are fully protected. Its essential powers over immigration remain undiluted. Its spending power is civilized but undiminished. Indeed, this power is now explicitly recognized in the Constitution by the Accord. The ultimate authority of the central government over the Supreme Court and Senate remains, and no amendment to the Constitution can be made without its consent. So where are all these alleged so-called losses in federal authority that have been stated to be at peril?

As the preamble to the 1987 Accord states, the purpose of the amendments are,

[*Translation*]

—to bring about the full and active participation of Quebec in Canada's constitutional evolution and provide new arrangements to foster greater harmony and co-operation between the Government of Canada and the Governments of the provinces, and would require that annual First Ministers' conferences on the state of the Canadian economy and such other matters as may be appropriate be convened and that annual constitutional conferences composed of First Ministers be convened.

• (1220)

[*English*]

There is a second misconception about the wording of the proposed constitutional amendment. The constitutional amendment gives as much, if not more, precision in its language as any previous set of constitutional amendments we