

We now have a new ball game and a new ball. We have a Prime Minister who is determined to be captain of the team and the umpire as well; he wants to pitch and call the strikes. He tried to impose his will on the provinces, then on the country, and now on the British. The Prime Minister and his party have confronted Westminster with a rewritten, amended, Constitution to which a majority of the provinces object. The box score on that, Sir, is that eight of the ten provinces are opposed to the action now being taken, Ontario and New Brunswick being the only two exceptions. Six of the ten provinces are fighting the action in the courts. Quebec Liberal leader Claude Ryan is totally opposed. The New Democratic provincial parties of Saskatchewan, Alberta, Manitoba and Quebec have publicly spoken against the action. Four NDP Members of Parliament have broken with their party leader and their party and will vote against the Trudeau package in the Commons. An hon. member who spoke just yesterday, the hon. member for Montmorency (Mr. Duclos), has also broken with his party and will vote against it.

The Prime Minister and his puppets are riding roughshod over the provincial governments. He has overturned the unwritten convention, or is attempting to, of 100 years. If the federal government with a majority in Parliament can unilaterally alter the Constitution against the objections of the provinces then, Sir, this is no longer a federal state. The rights of the provinces mean very little if they can be altered or subtracted from at any time by a simple decision of the federal government with a parliamentary majority.

Above all, Sir, the Prime Minister's position underlines his attitude toward confederation and to the separation of powers. Why should he consult with the provinces? They might not agree. He says the consultative process is too slow. It may be slow but it is 100 per cent democratic. If the federal government and Parliament can unilaterally amend and rewrite the Constitution in matters confided to the provinces by the BNA Act, then the BNA Act is a dead letter. Whether the Constitution is a pact or a treaty, as Macdonald called it, or a simple statute of the imperial Parliament, it is a matter for experts to determine. In any case it does not affect the issue, as I see it.

Whatever it may be, the Constitution is an understanding between the federal government and the governments of the provinces, those who signed in 1867 and whose legislatures ratified that action, and those who came in later by free choice. In no single instance was a single section or clause of the 1867 Constitution imposed on any province. They were free to accept or reject. For more than 100 years that spirit of compromise and conciliation, as Macdonald called it, was followed in all matters affecting constitutional change. That is what has been altered.

A constitutional convention having a century of practice as its mandate has now gone. The understanding that the Constitution was not the business of the central government alone, but that the provinces had very clear spheres of jurisdiction and that they would be respected, is also gone as a result of this proposal. It is this understanding, this compromise, this

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spirit of conciliation, which has been torn asunder by the unrestrained ego of one man.

The Prime Minister says he is not waiting for the provinces. They are too slow in agreeing with him. He says it must be done in his way. We have heard those words before, Sir, from the lips of dictators and tyrants.

The publisher of *The Globe and Mail* was taken to task for using the word "Tyrant". I am surprised there is no objection across the way to my using it. According to the dictionary, a tyrant is a person who exercises power despotically. A despot is someone who acts in an arbitrary manner. A despot does not take advice; a despot must have his own way. A despot insists on pushing his ideas to the end, riding roughshod over the rights of others. A tyrant is in the same category. A tyrant sees only one side of a coin, and usually it is the side bearing his picture. The publisher of *The Globe and Mail* may have erred a little on the side of emphasis, but in principle he was right on. It is strange, sir, how sensitive the Grits are on these things. He was attacked not for what he said but for saying it.

● (1230)

There was a suggestion in the remarks of the Minister of Energy, Mines and Resources (Mr. Lalonde), the "minister of oil", as he is now called, that there was something wrong, not quite cricket, in the publisher of *The Globe and Mail* criticizing the Prime Minister's position. Saying what he said in England was even worse. It is hard to follow this kind of reasoning. We do not find the Prime Minister or his henchmen mincing their words in their references to the Premier of Alberta or even their friend, the Premier of Saskatchewan; but when the boot is on the other foot then the shoe pinches.

An hon. Member: One-party state.

Mr. Nielsen: If there is a one-party state in this country, it is over there. They are the believers in the one-party state, the advocates of rule by divine right. Nothing could be more evident in proving that situation than what the—

Some hon. Members: Oh, oh!

Mr. Nielsen: I cannot hear hon. members; I would like to enjoy an exchange with them if they would rise—

An hon. Member: You are getting to them, Erik.

Mr. Nielsen:—and put a question. It is not what is said that pinches but the mere fact that in this bright new Grit world of friendly thought control anyone would dare raise his or her voice in protest.

It is, above all, the press whom they fear and distrust. It was not by mere coincidence that, after the Toronto *Sun* had attacked the Prime Minister and his government some years ago in biting terms, the office of that newspaper was raided. This was something not seen before in this country and something not often seen in England or the United States, or indeed any country where democracy is practised.