

Dominion-Provincial Conference

The Acting Speaker (Mr. Béchard): All those opposed to the said motion will please rise.

And more than 10 members having risen:

The Acting Speaker (Mr. Béchard): I declare the motion lost.

[English]

Mr. Andrew Brewin (Greenwood): Mr. Speaker, since there are only about 20 minutes left and I should like to give another hon. member an opportunity of contributing to this debate, I shall try to make my remarks very brief.

This is a subject in which, despite the natural tendencies for the members of this house to be partisan—and I think it is proper for us to be so on many occasions—we all endeavour to be non-partisan because the future of Canada is clearly involved when we discuss our constitution. I need hardly say that we in this party are willing and anxious to play our part as a constructive opposition in the building of a new constitution which we think is essential to the future of Canada.

The Prime Minister (Mr. Trudeau) asked the question: Where do you in the opposition stand on the question of a review of the constitution? Do you want total review, or do you want something less than that? We in this party are quite clear in our answer to that question: we want total review. That does not mean, of course, total change. It does not mean that we have to jettison everything we now have. But in the sense that we do want to look at the whole picture and not at part of the picture, we stand for total review.

Sometimes people downgrade the importance of constitutional discussion. They say that we should be worried about bread and butter issues. No issue is more deeply concerned with bread and butter matters than a constitution, even though it is often framed in legalistic terms. It not only defines the powers and responsibilities of government but determines whether government can function effectively and do the tasks which the people elected them as servants of the people to do. Therefore, the constitution, which is the fundamental law governing and directing all the other activities of governments, is a matter of supreme importance.

Another matter that I think we must never forget is that a constitution has educational and should have inspirational value. It should be a document of which Canadians can be proud, to which they can look as a succinct

statement of their aspirations and purposes in the formulation of a federation. While I do not for a minute doubt that the Fathers of Confederation and the drafters of the British North America Act, which is our present constitution as amended, did an excellent job in 1867, the fact remains that the constitution then drafted, even though since amended, is now antiquated, inadequate, obsolete and uninspiring. I think I could justify each one of those adjectives.

For this reason it is necessary for us to look at the constitution from beginning to end in order to make it an expression of Canadian thinking and of Canadian partnership, if I may use that expression, which is appropriate to the present time.

One aspect that was discussed at the constitutional conference was the entrenchment of a charter of human rights in our constitution. I want to bring the enthusiastic support of this party to that proposition. There are basic political rights that should be protected by parliament and by legislatures. It is no good saying that we can depend on commonsense, that we can depend upon our parliament and legislatures. The plain fact of the matter is that we are human beings, and under the stress of certain emergencies parliament and legislatures sometimes do foolish things. I do not have time to go into them but they are things which, though well intentioned, may cut into the basic human rights of individuals. There is no reason in the world why we should be afraid of the sober second thoughts resulting from any examination the Supreme Court might make of the fundamental law laid down in the constitution. Therefore, I most earnestly hope that those governments which perhaps have misunderstood the purpose of this charter of human rights, as constitutionally entrenched, will take a second look at the matter and agree that all Canadians should be protected by such a charter, which ought to be part of their constitution.

● (4:40 p.m.)

We take a similar view with regard to language rights. Those rights are set out in the report of the Royal Commission on Bilingualism and Biculturalism. The proposed amendment to the British North America Act which would enlarge and clarify basic language rights is an act of simple justice. It should be included in our constitution, and we give it our full support.

The time has come for me, in this part of my speech, to talk of the most important issue confronting any federation, the question