

except those that say, "Stop at a stop sign, do not drive too fast, do not drink too much and do not kill somebody". Those are the laws that have restricted the open-ended common law. I am not making any judgment as to which is right and which is wrong, but I will repeat, just to accentuate the point, that they are two fundamentally different philosophies. Under the Civil Code one does not have any right to do anything unless one can point to it in some constitution, some bill of rights or some charter. So, we started off in this debate with the north versus the south, the common law versus the civil law. That presents problems or makes it much more difficult when we try to come to a consensus. I will not be pessimistic like the Minister of Labour (Mr. Regan) and say that unless we adopt this resolution forever and a day we will be behind the eight-ball on amendments, patriation or anything. I do not believe that for an instant. I just want to paint the picture, which I do not think has been painted well enough in this debate, of those two streams of jurisprudence which start out from two different poles. The members of this chamber are elected by the people. Hopefully the job of this chamber and perhaps eventually that of the other place—although I would not mind abolishing the other place, but that is another question—is to try to bridge those parallel streams of jurisprudence to come up with some kind of document. But, I come back to where I started. The debate concerning rights and an equalization formula must take place in this chamber.

• (1550)

I take exception to the false rhetoric of the Minister of Labour and those men of straw on the other side, those punching bags of false rhetoric. This party believes in patriation. Earlier we said that we want patriation if it is on the basis of the Vancouver proposal or, as far as I am concerned, the Victoria proposal. On Monday when this debate started, my leader said we were in favour of patriation on the basis of the Vancouver proposal, the most recent proposal and an adaptation of the Victoria proposal. There is no equivocation on those two points. I do not know why a minister of the Crown, charged with responsibility in the administration of this government, would take five or ten minutes of his time beating around the bush and taking this "man of straw" approach. He suggested by inference that the opposition was against patriation. As I said earlier, there is not a member of this House who likes the situation. We are very much for patriation on the basis of what my leader said in his masterful speech here on Monday. That is the basic issue. As I think all members have tried to accentuate in different ways, we do not want some joint resolution to go from this chamber to Westminster in London, on the banks of the Thames, in order that British legislators may debate our fundamental rights. That would be an insult to me as a legislator and it certainly reinforces what my leader said on Monday. We can throw names around. It is not that they solve anything, but they are good for debate. The proposal of the government indicates that they are the last of the colonials, going hand in hand not toward patriation or an amending formula, but going forward with the 16 pages of detailed fundamentals and an equalization formula. If given a

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chance, I would have asked the Minister of Labour where he saw the words "equalization payments". They are not there. The equalization formula in this resolution is very weak and needs to be improved, but if we cannot improve it here when the committee finally decides and comes back with a resolution to this House, I do not want a legislator in England who comes from some constituency in the Midlands to start telling me, in areas of economic disparity, how the "colonials" over here are supposed to work with an equalization formula or that "we in Britain know better". The whole thing is topsyturvy. If members across the way give us patriation based on the Vancouver proposal in that resolution with an amending formula, this matter will get through within a day. Then it will come back here and at the proper time we can put in a timetable. We will debate all those things.

It is not just the comments of the Minister of Labour, but the general thrust of the remarks of those in the government. If I were in the government, I suppose I would try the same thrust. Not only do they paint the opposition as being against patriation, it is the same canard when it comes to unanimity. The very fact that in this debate my leader said we were for the Vancouver proposal eliminates the problem of unanimity. I agree it will be difficult if not impossible. Frankly I think the premiers would agree that unanimity on changing the basic constitution would be difficult, if not next to impossible. Perhaps after 53 years we should still try, but there is a big difference in recognizing that unanimity is not necessarily the answer. After all the false starts, there is a fundamental difference between recognizing the reality that unanimity creates problems and going completely to the other side, going unilaterally without consultation with the provinces. One cannot have it both ways. I think the Minister of Labour was sincere, but I understand the realities of unanimity. I suggest to members of the government who have not fully assessed what might happen with this constitutional proposal and other things Parliament will decide, hopefully before Christmas, that they have underestimated a basic feeling across the country. The Minister of Labour said my leader was extreme. I do not know how many times he has talked with the people west of the lakehead, but as it is almost four o'clock I will close this part of my address with the following thought. I am here as a legislator. I am glad about the vote on May 20. I hope we can redeem pledges that were made to Quebec, however they are interpreted, albeit Quebec is a province with a very definite identity that must be respected in ways the Prime Minister is not prepared to accept. But one does not redeem a pledge to a province or a region such as Quebec and forget the larger responsibilities to the country as a whole. If the proposal upsets the country as a whole, what has been accomplished when one says that a pledge to a part has been redeemed?

May I call it four o'clock, Mr. Speaker?

Mr. Deputy Speaker: It being four o'clock, the House will now proceed to the consideration of private members' business as listed on today's order paper, namely, notices of motions, public bills, private bills.