

The Constitution

inability of the official opposition to understand the Canadian fact, to answer the aspirations of the Canadian people and to promote the policies needed for its fulfilment, the Progressive Conservative Party has generally been confined to that role, that of the opposition?

If we all wish our children to enjoy a better future, a just world where everyone will have the opportunity to develop freely and move about without restrictions, a productive and nourishing earth, and if we all wish the heritage which was entrusted to us and which we shall have to leave to our heirs to bear fruit, do we have the right to let certain local special interests prevail over our national interests? Mr. Speaker, I believe that we have reached the point of no return, and I urge sincerely and fraternally all of my colleagues, on both sides of the House, to support this essential proposal.

In closing, I would like to recall the words of the late Right Hon. Jules Léger, who stated the following in his installation speech on January 14, 1974, and I quote:

What can we wish Canadians in 1980? Clean landscapes with clear waters, welcoming and laborious cities, a fraternal environment where man will have found his true place: the first place, at the centre of creation, within a united and prosperous country, in a world of justice and peace.

Like him, Mr. Speaker, I would go on to say that if, in the years to come, I can be associated with such an undertaking, even in a modest capacity, I will know that my mission will not have been in vain. Like others, I will have done my best to work hard and steadily as a Canadian. And always, while accomplishing this mission, I will have had in mind the question asked by Paul the apostle: "Who gave you superiority over others? What distinguishes you from the others? If you have received everything freely, why boast about it as though you had acquired it through your own efforts?"

[English]

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, first I want to compliment the hon. member for Rimouski-Témiscouata (Mrs. Côté) who has just finished speaking. It is the first time I have heard her speak. I know how seldom it is that Liberal backbenchers have an opportunity to speak in this House. I listened to the hon. member very carefully and I compliment her on the sincerity of her remarks.

Some hon. Members: Hear, hear!

Mr. Nickerson: It gives me pleasure at long last to say a few words on the subject of the Canadian Constitution, the Constitution of our beloved country. So far, I think we can all agree on that. Unlike some of my colleagues on the opposite side, I am not particularly dismayed that after a mere 114 years we have not yet found the perfect Constitution. The search for a perfect Constitution is something like a search for the Holy Grail. To the contrary, I am rather proud that our Constitution as written by the Fathers of Confederation and as changed from time to time when found necessary, has served us remarkably well over the years on account of its flexibility,

its underlying principles of natural justice and free parliamentary democracy.

● (1630)

Man is a social and political animal who has organized himself into states and nations for thousands of years. He has yet to develop in any country of the world the perfect constitution. As an illustration of this, I would like to read a few quotations from Aristotle who studied this problem several thousand years ago and wrote in some depth on this matter in about 350 B.C. Some of his views are as up to date today as when they were first written. Aristotle, of course, was a constitutional thinker who, in the opinion of many authorities, surpassed in intelligence even the right hon. member for Mount Royal (Mr. Trudeau).

Some hon. Members: Hear, hear!

Mr. Nickerson: Practically everybody would agree that he was superior in his concept of political honesty. The first quotation I have is a definition of "constitution", which Aristotle held to be:

—the arrangement which states adopt for the distribution of offices of power and for the determination of sovereignty and of the end which the whole social complex, in each case, aims at realizing.

If we examine the constitutional proposal before us in the light of these three attributes, the changes which the Prime Minister would force upon Canadians become quite evident. I am not talking about the matter of patriation. Everybody wants that and it is quite simple to accomplish. The easiest way would have been, when the Leader of the Opposition (Mr. Clark) moved a motion not too long ago in this House that it be done immediately, for the Prime Minister to have agreed and voted in favour of it. I am not talking about that. What I am talking about are the wholesale changes which the Prime Minister would have the British parliament make for Canadians.

First, with respect to the goal of the social complex, heretofore in Canada that goal has usually been the maximizing of individual liberty. However, under the proposals before us it would become the subordination of the citizen to the state. To put the proposed charter into being would require a whole host of strict rules and regulations enforced by the state upon the citizenry.

Second, with regard to the distribution of sovereignty, the distribution which we have in the present federal system could, and I think would, be markedly changed. The concept that we have in Canada at the present time is that sovereignty is distributed among and vested in each Canadian citizen. Sovereignty is exercised by citizens both at the provincial level, those parts of the country fortunate enough to be organized into provinces, and at the federal level. Each one of us by so distributing his sharing enables the federal system to work reasonably well in a way that best serves our own individual interests.

However, I fear a change to a system where sovereignty becomes vested not in the citizenry but in the state, and where