

this Constitution which we intend to vote for. The official opposition can beat their chests and talk about process, insult this party and the leader of it, but in the final analysis what they will be voting for is against the enshrined rights of the average Canadian.

I would now like to deal with the pleas which were made on behalf of the handicapped. In our original draft of the resolution rights of the handicapped were not included. Mr. Gordon Fairweather of the Canadian Human Rights Commission, who came before the joint committee, said this:

The list of grounds presented in that section is incomplete. In particular, no promise of equality under the law is made to the disabled.

Mr. Clarke Macdonald of the United Church of Canada said that the rights of the physically and mentally disabled should also be stated. Mr. David Vickers of the Canadian Association for the Mentally Retarded said:

Our plea to you is not a plea for special rights. Our plea as advocates of people with a handicap is that they too will be afforded the full opportunity that attaches to their Canadian citizenship; in short, a plea that they will not be forgotten in the new bill of rights so that they may become Canadians first and handicapped second.

There was one young man who had a very profound effect on myself. That man was Ron Kanary of the Coalition of Provincial Organizations for the Handicapped. He came in a wheelchair to my office. He spoke quietly. He had appeared before the special parliamentary committee on the disabled and the handicapped and he also appeared before the joint committee.

● (1630)

He said:

We are looking for the Constitution to set a tone so that changes may come about, not overnight but over a period of years, that we can become fully integrated and active and contributing as a force of people in society.

He asked no special favours and we gave him none. All we put into the Constitution is the right that the handicapped will not be discriminated against by legislation. When the official opposition votes against this charter of rights, let them make no bones about it; they will be voting against the hard fought rights of the disabled, like Ron Kanary, and his organization. I say to the opposition, the only source of shame among all of us is that we did not do this years ago.

Some hon. Members: Hear, hear!

Mr. Irwin: There has been a great deal of debate about referendum. There has been much shaking and quaking by members of the opposition. They fear the use of the referendum.

[Translation]

They look on the referendum process as a deterioration of democracy. Yet, they fail to say what may be done in a democratic society to break a deadlock. Their solution to a deadlock is another deadlock. If the provinces and the federal government cannot agree among themselves on a solution to a problem, it seems to me it would be better to ask the Canadians instead of Westminster to settle the matter. What has the

The Constitution

opposition so much to fear from the people? To my mind, no process can be more democratic than consulting the people.

[English]

As Prime Minister Louis St. Laurent once said:

As a Liberal, I have always believed in the capacity and judgment of the ordinary people. And I carry that belief to the point of believing that when we do not carry the judgment of the people, the fault is in ourselves and not in the people.

What is remarkable about that statement is that it was his last speech as leader of our party. He had just been turfed out of office by the people of this country and he did not blame them. If there is a difference between Liberals and Progressive Conservatives, I say that in defeat we do not blame the people. A referendum should not have to be used.

The mechanism in the Victoria formula is there for the provinces and the government to utilize. However, if it has to be used, then this government is prepared to fully trust the people of this country. It is not our Constitution, it is not the Premiers' Constitution; it will be the Constitution of the very people who the official opposition refused to trust in a referendum.

On language, it seems that in this House history keeps repeating itself. Many of the problems which plague us today are those which have plagued us for the last half century. I say it is about time that we solved some of these problems. The first one which we should solve is minority language education.

In 1916, the appellate court of Ontario upheld regulation 17 which seriously curtailed the rights of Franco-Ontario children to have schooling in the province in their own language. Prime Minister Sir Wilfrid Laurier wrote to the *Globe*: "We French Liberals of Quebec are fighting Bourassa and Lavergne. Will the English Liberals in Ontario fight Howard Ferguson and the extreme Orange element?" John Daffoe replied: "Let our Quebec friends thoroughly understand the situation. We shall not allow them to impose their will on the rest of Canada."

Prime Minister Laurier went to the House of Commons in an effort to convince Ontario to change that regulation. He had a resolution put before the House imploring the Ontario legislature of "the wisdom of making it clear that the privilege of the children of French parentage to be taught in their mother tongue be not interfered with". That was on May 9, 1916. Sixty-five years have passed and the problem is still with us.

[Translation]

The problem of minority linguistic rights still prevails in Ontario. Had it not been for the intervention of the Ontario government, the Penetanguishene school board would have prevented French-speaking children from being taught in the minority language.

[English]

There were times in the last month when I thought we had really matured as a nation. I listened to the members of the joint committee and I thought: "That's my type of Canada". So many prominent witnesses came before that committee, a cross-section of this country, and their concept of Canada was