

The Constitution

sense, put off course by comments and debating points by members of the opposition.

Indeed, the Leader of the Opposition went so far as to say that to do what we are now proposing to do would weaken the federal system. I find that to be a curious and impossible argument. I think it would be Parliament's failure to act which would more undermine our federal system at this point in time.

Some hon. Members: Hear, hear!

Mr. MacEachen: I believe that if the Parliament of Canada, our most important national institution and the only institution capable of acting for all the people of Canada, failed to act, our system of government would lose some of its credibility in the minds of the Canadian people, many of whom are watching what is going on and asking when we are going to make some progress.

I agree with the comments which have been made by the constitutional committee of the Canadian Bar Association, which stated that the entrenchment of a bill of rights and freedoms would strengthen our sense of Canadian unity. The committee said that a clear statement in the constitution of the fundamental values of Canada, the fundamental values which Canadians share, should have an important unifying effect.

The Premier of Ontario returned to the same theme at the first ministers' conference recently, and I think it is worth repeating what the Premier of Ontario said at that time when commenting upon the effect of entrenching a charter of rights. He said, and I quote:

It is in this way, we believe, our democracy will be rooted in the consciousness of every Canadian and, we think, strengthened as a result.

● (1600)

I agree with that, because if there is, in the consciousness of every Canadian, the unshakable conviction that his rights and freedoms are beyond tampering, are protected and beyond touch, then that certainty increases the appreciation of the citizen and the loyalty of that citizen to the country.

I believe we have now in the Parliament of Canada a unique opportunity to establish in the constitution the values we all share, namely, the rights and freedoms that should be and have been an intrinsic part of our way of life. I go on to say that instead of weakening the federal system, what we are doing, in the way of mobility rights, for example, will strengthen the economic union which in my view is also an indispensable part of our existence. I would add that the entrenching of language minority rights, instead of weakening the federal system, will strengthen it by giving Canadians the right to send their children to school in their own official language where there are sufficient numbers of the minority language to justify a school. I do not think that our federal system is strong if our language minorities are not protected in our constitution. How can anyone argue that such a step is going to weaken Canadian federalism? It deals with a problem that has long been unattended and I will return to that in a moment as well.

Do not tell me, Mr. Speaker, that this proposal will weaken our federal system. The proposed resolution will reinforce federalism as well by strengthening the constitutional position of the provinces. We have heard many unhappy, sorrowful statements, as if the provinces were threatened by this resolution. They are not threatened. The contrary is the case. Their constitutional position is strengthened. For example, until we change the constitution, the joint resolution of the House of Commons and the Senate is the only requirement for constitutional change. Under the resolution, provinces will be necessary participants in the procedure for constitutional amendment, and under the constitution act of 1980, provinces would have the right to initiate amendments. No final amending formula would be adopted without the provinces being consulted, and this will become a legal obligation and will no longer be based on the validity of whatever conventions may exist.

The unanimity rule for amending the constitution which will prevail for two years will also give the provinces a rather strong position. I admit readily, willingly, and without a trace of apology that the resolution provides for national referendums. I would make just two observations on that much overbruised concept—bruised by the opposition. First, the proposed procedure would not be in force for two years after enactment, so that there would be ample time during this period to reach unanimous agreement, if possible, on an alternate amending formula. Second, our proposal simply reflects the government's view that, in the end, sovereignty rests with the people of Canada.

Some hon. Members: Oh, oh!

Mr. MacEachen: I am ready to take my stand anywhere in this country in saying to the people that if governments, federal or provincial, fail after a serious and determined effort, I would be prepared to give the resolution of that deadlock or failure to the people of Canada.

An hon. Member: It does not say that.

Mr. MacEachen: That is a very strong Liberal position to be taken at this present time.

An hon. Member: Phony!

Mr. MacEachen: I believe also that the resolution will bring major benefits to the people of Canada. Last August I was invited to address the final event in the three hundred and seventy-fifth anniversary celebrations of the settling of the Acadians in Nova Scotia. Three hundred and seventy-five years ago the Acadians came to my province and to other parts of the maritimes. There we were in a thriving Acadian community, Cheticamp, in the northern part of Inverness County, celebrating what I thought was a marvellous anniversary because here was a culture still living, a language still spoken, and all the attributes of life, vigour and confidence. They had survived just barely—I could say more about that—over the years and they have had to survive in all those years within a basically standardized Anglophone educational system. That is what happened.