

Democratic Party since that time and in the last few weeks the pressure has been coming from the leader of that party. Some of my colleagues in cabinet, particularly the minister from Manitoba, were putting pressure on me about that. As a result, cabinet has accepted the change and I am pleased today to be able to give the commitment which the hon. member for Provencher requested. Accordingly, the amending formula will be changed by deleting the population requirement in western Canada. Western Canada will be treated in the same way as Atlantic Canada.

• (1520)

Some hon. Members: Hear, hear!

Mr. Chrétien: In other words, the amendment will be made, with the approval of the Parliament of Canada, to include any two provinces in western Canada, any two provinces in Atlantic Canada and the two provinces in central Canada.

[*Translation*]

As I indicated on several occasions to the House and the media, Mr. Speaker, we have also agreed, as the government, to accept the amendments proposed by the New Democratic Party. When we were sitting in committee, we received a great many representations concerning Clause 15, which deals with the rights of women and sexual equality and which has been the subject of a long debate. That clause has been accepted by virtually all committee members. After the committee had completed its work, the groups representing women kept on making representations to emphasize their eagerness to have absolute equality of the sexes enshrined, representations which I have referred to the cabinet, assuredly with the assistance of the hon. Minister of Employment and Immigration (Mr. Axworthy) who is responsible for the status of women to Parliament, and we have been glad to allow the New Democratic Party to propose this amendment. I think that the hon. member for Burnaby (Mr. Robinson) had raised the issue in committee on several occasions, and this party will gladly vote tomorrow in favour of this NDP amendment which will ensure equal status to women, as requested by many pressure groups.

We also accept that the other part of the NDP amendment, according to which the constitutional rights of our native peoples which are now or will now be enshrined in the Canadian Constitution may only be amended in the future by using the general amending formula, that is, by including in clause 54 of our constitutional project the fact that the rights of our native peoples, as protected by the Constitution may only be amended by means of the general amending formula which gives even greater protection to our native peoples, the Indians, Eskimos and Métis here in our own country. We shall be pleased to vote for that amendment.

[*English*]

I would like to turn now to the proposals put forward yesterday by the Progressive Conservative party, the official opposition. In his haste to please the eight provincial Premiers, the Leader of the Opposition (Mr. Clark) has put forward a

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document which is unfortunately illogical and inconsistent. The Tory party thinks that it is proposing patriation and an amending formula only with the approval of seven provinces. However, the Tory party's last minute drafting proposes nothing of the sort.

As the Leader of the Opposition should know, the resolution asks the United Kingdom to enact the Canada Act, which will include as a schedule the Constitution Act, 1981. The amendments he proposes do not touch on the Canada Act, which deals with patriation and would come into force immediately in Great Britain. Also it would serve to end Britain's role with respect to Canada's Constitution. The Tory amendments would provide that the Constitution Act, 1981, or any part of it, would come into effect only if approved by seven legislatures representing 50 per cent of the population. However, it is the Constitution Act, 1981 which contains the amending formula. In other words, an amending formula would only come into effect if between now and July, 1983 it is approved by seven provinces.

What would happen if there were no such approval of an amending formula? Patriation would have taken place because of the enactment of the Canada Act. Britain would have given up its sovereignty over the Constitution. The Canadian Constitution would have been patriated without an amending formula, the exact situation we faced in 1931.

Mr. Baker (Nepean-Carleton): That is not right.

Mr. Chrétien: Because we could not agree to patriate with an amending formula, we asked Great Britain to retain legislative jurisdiction over the amendment of our Constitution. The alternative at that time was patriation without an amending formula. This was considered to be highly unsatisfactory because it would have left a great deal of uncertainty as to how amendments could be made.

It is that alternative which the Tories are proposing today, because we will be accepting the Canada Act without an amending formula. If we do not agree on an amending formula, there will be no amending formula. Therefore, we would be back to where we were in 1931, and no one is interested in that.

Some hon. Members: Oh, oh!

Mr. Chrétien: Accordingly, the Leader of the Opposition, although he may not know it, is proposing unilateral patriation and an amending formula to come into effect if agreed upon by seven provinces. If there is no agreement, he is proposing the creation of a legal vacuum. That is the consequence of his party's proposal and it is the first, the only and the absolute reason to vote against it.

Some hon. Members: Hear, hear!

Mr. Chrétien: Let us look at what would be the effect if we were to have agreement on an amending formula. Let us therefore examine the amending formula which the opposition now favours. After proposing three amending formulas,