

The Constitution

province of Saskatchewan whether the resources amendment which we had proposed, and to which the government had agreed, represented an improvement to that province, and he assured me it did.

I am from the province of Manitoba which, as far as we know, does not have any resources with great world demand. We are increasingly a have-not province. Believing, as I do, that all the people of Canada, regardless of where they live, are entitled to certain minimum standards in the provision of basic services, I accept the idea that any federal government must have the financial ability to help those have not provinces. My province is a have-not province. Therefore, I am happy the government agreed to amend the original clause dealing with equalization benefits, making clear the reference to equalization payments to the provinces.

Originally, the amendment would have allowed the federal government to bypass the provinces and pay equalization benefits directly to individuals. This would have endangered a major source of revenue to a poorer province such as Manitoba. I am, therefore, happy the government agreed to strengthen this equalization amendment. I do not want the people of my province to be dependent on the good will and charity of the Premier of Alberta or the Premier of Saskatchewan. I want the federal government to have the power and authority to help people in all parts of this country.

I am particularly interested in the charter of rights. This embodies a principle of major importance to the people of this country. I was happy to hear what Professor Walter Tarnopolsky of the Canadian Civil Liberties Association had to say when he appeared before the committee dealing with the Constitution. Let me quote him in part. He said:

—without a bill of rights, the only protection for minorities is the good will of the majority. No doubt people, like the Japanese Canadians, native people, Jehovah's Witnesses, and others could give us examples of how the majority, at one time or another, did not recognize them as human beings equal in dignity and rights.

Then he went on to say:

—particularly for opposition politicians, reliance on a written bill of rights is a much more effective weapon to oppose legislation which is deemed to be excessively oppressive or arbitrary, than a mere claim the legislation is oppressive or arbitrary.

So when we look at the amended package, here is what it provides in the way of fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

I would remind hon. members that this clause is very much like the one adopted by the 1961 NDP convention, so my enthusiasm for it is not surprising.

● (1550)

Very impressive representations were made to the committee by representatives of the disabled. A representative of the Coalition of Provincial Organizations for the Handicapped told the committee that:

—of most importance to disabled people in Canada is that disability or handicap should be included as grounds protected from discrimination under Section 15(1) and we recommend this amendment to you.

The charter now says:

15 (1) Every individual is equal before and under the law and has the right to equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, sex, age or mental or physical disability.

In other words, the committee accepted the proposal of the representatives of the handicapped.

As for women's groups, the then president of the Canadian Advisory Council on the Status of Women, Doris Anderson, told the committee:

The Canadian Advisory Council on the Status of Women supports entrenchment in the Constitution of a charter of rights and freedoms which guarantees women's human rights to equality.

As I have already said, Section 15(1) states there shall be no discrimination on the basis of sex.

Mr. Speaker, I am particularly interested in the discussions in committee with reference to native people. I have been interested in the subject for many years and, of course, large numbers of native people have moved to Winnipeg in recent years. I was looking at a brief sent to the Minister of Indian Affairs and Northern Development (Mr. Munro) just a couple of weeks ago by the Winnipeg Indian Council and they estimate that there are 12,000 status Indians in Winnipeg. The hon. member for Winnipeg North Centre (Mr. Knowles) and I probably have more status Indians in our constituencies than does any other member. The conditions of native people in this country are a disgrace and a disaster.

I would quote from a book entitled "Indian Conditions: A Survey 1980" put out by the Department of Indian Affairs and Northern Development, which was sent to Members of Parliament. In that book you will see that the mortality rate for native people one to four years old is 3.1 per thousand, and for non-Indians it is 0.8. The rate of suicide is almost three times the national rate. In 1974, 55 per cent of Indian reserve population were receiving social assistance as compared to a national rate of 6 per cent. In 1977, one in three Indian families on reserves lived in crowded conditions. I could go on but I think hon. members who are interested know what the situation is.

The rights and freedoms of Canada's native people were not included in the original constitutional package. Very strong representations were made by native groups, status and non-status Indians, to all parties represented here and to the constitutional committee. The president of the National Indian Brotherhood, Delbert Riley, said this to the committee:

We are opposed to any amendment of the Canadian Constitution which affects our special constitutional position, without our consent. The Royal Proclamation of 1763 provided that constitutional or political change would occur by a process of negotiation and agreement. That, to us, is a fundamental constitutional principle, and one that should be recognized in any amending formula.

I do not have to tell hon. members of this House how much discussion there was on that question, or how reluctant the