

I wonder what the result would have been in Russia had the recent demonstrations by dissidents in front of Parliament taken place there?

Article 54 states:

Citizens of the U.S.S.R. are guaranteed inviolability of the person.

Article 55:

Citizens of the U.S.S.R. are guaranteed inviolability of the home.

Article 56:

The privacy of citizens, and of their correspondence, telephone conversations, and telegraphic communications is protected by law.

So says the charter. And article 57 says, in part:

Citizens of the U.S.S.R. have the right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property.

We are all aware of the rights of Russian citizens and the worth of written guarantees. So much for a written constitution!

The BNA Act and the common law have been effective and flexible in protecting Canadians for 114 years, not because of written guarantees but because we Canadians believe in rights and freedoms. If changes are needed from time to time, Parliament can enact new laws to cover any deficiencies, and Parliament does enact new laws every day; every year 100,000 or more new laws emanate from this place.

What does the Prime Minister hope to achieve by switching Canada over to the republican system of government? Does the man who took the guillotine to Parliament in this important constitutional debate wish to become the Charles de Gaulle of Canada and arrange to impose his will on Parliament as de Gaulle was able to do to the Parliament of France for so many years?

What can be said in favour of a new Constitution—new, but still within the parliamentary system incorporating a written charter of rights? In fairness, it must be said that from time to time both the central government and the provinces have been guilty of enacting legislation contrary to the rights and interests of some group or other of Canadians. Examples which come to mind are the Japanese Canadians who were discriminated against in the last war in the same way as Japanese Americans who were protected by a written constitution; the Quebec discrimination against workers from other provinces, a deplorable action by a provincial government which denies the spirit of confederated rights, as well as repeated failures to live up to rights and treaties of native peoples which were not corrected by charters but by intelligence and good will.

The Trudeau charter would attempt to prevent such unfair legislation in future by making it unconstitutional. This is admirable and is deserving of support and careful consideration. But we cannot afford to slap a Constitution together. We must create a just and meaningful Constitution, not an instant one created quickly enough to be passed by Britain, but bad enough that it will have to be passed by Britain because it could not be passed in Canada.

The Constitution

I could applaud such motives and even such actions, if I believed that by just the writing of words, all would be corrected in Canada; that the morning after the proclaiming of the Trudeau Charter of Rights and Freedoms, all Canadians would march arm in arm into the golden dawn. That is not the way life is. Russia certainly has not achieved excellence or individual freedoms by writing a wonderful constitution. Our respected neighbour to the south has not achieved a more hallowed society through the enactment of a ringing constitution. In fact, they have amended their constitution some 26 times in an attempt to reflect changing attitudes.

That is exactly what federal and provincial legislation and the common law have done so well in this country ever since confederation. Why then has the government taken a whole year of time away from valuable economic and social planning if there is so little to be gained from all this discussion? It is a discussion which the people of Canada hold in little regard, and well they might, with inflation of 12 per cent occupying their real concerns in raising their families or in supporting their retirement, or with unemployment staring a million Canadians in the face in a country rich enough in resources to sustain zero unemployment but so poor in government ideas and resolve that it foists an unwanted year of unnecessary debate and bitterness on people who believed that by electing a Liberal government they would get cheap energy and a unified country after the Quebec referendum.

The government promised to keep the increase in the price of gasoline below 18 cents per gallon. It failed to keep that promise, and gasoline rose over 20 cents per gallon in a year.

With a mandate to fight inflation, which it promised to do on behalf of senior citizens, this government has failed by letting inflation rise to 10 per cent in 1980, 12 per cent today, and rolling to a predicted 15 per cent by the end of this year, 1981.

With no mandate to change the Constitution of Canada, no promise to do it, or not to do it if Canadians do not want it done, the government says it is going to do it anyway. Is that responsible government? Is that a government Canadians can trust to deal honestly and capably with our most sacred trust—a constitution for Canada?

You may well ask, just how did this sudden constitutional urgency come about? And why must such important work be subject to an early deadline? There are two reasons. Canadians had rejected the Prime Minister and his Liberal government in 1979 because of its terrible economic mismanagement of the country. Suddenly, the emperor who had quit was the emperor again, and a last ditch opportunity presented itself.

Then the Quebec referendum took place and Canadians rejoiced that Quebecers had opted for confederation, little realizing that Canada's arch socialist would use the occasion as an excuse to change Canada's Constitution under the guise of national unity. As a reward for staying in Canada, he would give Quebec the rest of Canada—as a French socialist republic.