

The Constitution

subordinate legislatures. These men knew that sooner or later, federal state, leaders would arise who would seek their destiny primarily or exclusively within the narrow confines of a province, and they were determined to give the future leaders of this new nationality the tools with which to inhibit or roll back such developments.

Given this background, why do we doubt the legitimacy of the processing of these constitutional proposals? This government—any government in Ottawa—has not only the right but also the duty to protect and promote the nationality in times of great stress with any or all of the tools at its disposal, including unilateral constitutional initiatives. So our idea, I therefore claim, is valid and our process legitimate.

● (1720)

What, then, of the content, specifically the charter? I consider the charter to be the long overdue, logical fulfilment of the promise of confederation. For too long have we tolerated impediments to our right to enjoy the full legal benefits of Canadian citizenship. If our nationality is to be whole, if it is to remain healthy, and if to have a vigorous future as it has had a past, we must transcend the barriers of place, geography and circumstance with this new charter.

If it has a flaw—and it is not without blemish—it may be found in its caution. Simply put, it does not go far enough. I am thinking particularly of its inability to advance more vigorously the interests of a Canadian economic common market. Not only must labour move more freely inside Canada, but so too must capital and goods if we are to maximize our economic potential and create wealth for personal enjoyment and social service.

In addition, sexual discrimination should be totally obliterated. French language rights should be extended further, and a preamble displaying our acknowledgement of the transcendent moral authority of the deity should be reintroduced.

But these concerns can wait. I agree with the Prime Minister (Mr. Trudeau) when he says that more reforms will follow patriation, and I trust that they will enjoy a high priority on his agenda or that of his successors.

To sum up, although I admit to a modest employment of hyperbole in delineating the choices we face as a Parliament and as a nation, I firmly believe that a fundamental decision has to be made by Canadians within the next few months between the reaffirmation of our nationality as it was originally conceived and historically implemented and the revolutionary visions of its opponents. Obviously, I have chosen to remain with the former. It is a concept of Canada which created one of the largest, most powerful states in the world. Why would it not in its enhanced form prove capable of sustaining that position?

There are occasions in the life of a people when they are offered an opportunity of transcending the limitations of the moment and, by doing so, transform themselves. Our founding fathers had the insight to recognize that moment and sum-

moned the courage, without benefit of electoral mandate or public discussion, to act, and we are the beneficiaries.

Such an occasion has presented itself again. Should we rise to that occasion? Of course. Are we lesser people than our forefathers? Can we rise to that occasion? Well, Mr. Speaker, rise we must. And rise we shall.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I want to refer to the preamble of the BNA Act. We have heard speakers this afternoon refer to the Fathers of Confederation and what they intended, and I think we should refresh our minds as to exactly what they wrote into the preamble. I quote:

Whereas the Provinces of Canada, Nova Scotia and New Brunswick have expressed their desire to be federally united into one dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar in principle to that of the United Kingdom:

And whereas such a union would conduce to the welfare of the provinces and promote the interests of the British Empire:—

I emphasize the second paragraph. The provinces, by deciding to unite, created a federal government. Little did they realize that that federal government would turn into a Frankenstein a few score years down the road, but that is what is happening. It was never intended that Canada would be a unilateral country. The Constitution sets out that the federal government is not supreme, as one of our members so vividly pointed out the other day, and that the provincial governments are not supreme. Each of their powers is according to what is set out in the British North America Act.

The British parliament is supreme. There is no other government there, but in Canada the Canadian government is not supreme. It has only the powers which were given to it by the provinces, and the provinces retained other powers which are set out in the BNA Act.

In 1867 the plan was not to weld the provinces into one country; not at all. Neither was it to subordinate the provincial governments to a central authority. Otherwise, not one of those four provinces would have joined in 1867. The BNA Act established a central government in which the provinces should be represented. The central government was entrusted with exclusive authority only with respect to affairs in which the provinces had a common interest. That was set out in the British North America Act. That is what is causing concern among the provincial governments and the people of Canada to a very large degree today. If we allow this unilateral action by the Canadian government, we will be changing the very nature of this country as we have known it.

Many men and women in this country fought for Canada. Many of their colleagues gave their lives fighting for this country. They did not do that to have the country changed into a unilateral state, which is what we are seeing take place now.

In checking history I could not find one prime minister who would do what the present Prime Minister (Mr. Trudeau) is doing by way of unilateral action. I could go back further, but I will go back only to 1925. In 1925 the minister of justice, the hon. Mr. Lapointe, made a statement on a proposed enactment by the U.K. parliament of a measure vesting the Parliament of