

The Constitution

Mr. Hudecki: The sense of dignity I feel at this moment is solely imparted by the people of Hamilton West whom I represent. Hamilton West is a very special riding. It is a community of people distinguished for breaking new ground and setting high standards of achievement. On the industrial scene, tradesmen and managers from this riding who worked for Stelco and Dofasco, Canadian companies, have given other industrial nations in the world a lesson at making steel at a profit.

It was amidst our industrial heartland that the Association of Canadian Clubs was born. This national society is dedicated to fostering an interest in public affairs and cultivating an attachment to Canadian institutions. These are not our only claims to pre-eminence. In 1957, our representative for Hamilton West, the Hon. Ellen Fairclough, became Canada's first woman cabinet minister.

Some hon. Members: Hear, hear!

Mr. Hudecki: A decade later the voters of Hamilton West elected the first black person as a member of Parliament, the Hon. Lincoln Alexander.

The riding of Hamilton West is distinguished not only for its outstanding individuals but also for fuelling the growing sense of western pride. In 1935, the Winnipeg Blue Bombers challenged the Hamilton Tiger Cats for the Grey Cup. In allowing its first victory that year in Hamilton, we easterners established a trend which shows no sign of letting up. In the riding of Hamilton West we have situated the Canadian Football Hall of Fame which immortalizes football heroes from every corner of the country.

As a Hamiltonian, however, I take more heart in other achievements. In 1949, McMaster University established the first isotope laboratory in Canada. A decade later, the Right Hon. John Diefenbaker officiated at the start-up of McMaster's full-size research reactor, the first of its kind in the British empire. In Hamilton West we have the Canadian Centre for Occupational Health and Safety, providing information and advisory services to the working people of Canada.

Having briefly cited some of our local milestones, it is now important that I address myself to the constitutional debate. These are momentous days of national renewal, days in which we are redefining our common destiny as well as reaffirming our sense of national purpose. The task of constitutional renewal has been long and difficult. We hear that the process is divisive, that actions have been unilateral, that governments are self-interested and that people are misinformed.

In this atmosphere of apparent turmoil, it might be well that we remind ourselves of certain fundamental realities. The first is that although we are in the process of change, we are changing within the well-established guidelines of tradition and stability—the parliamentary process itself. This institution, of which we are all a part, has endured the test by its very design. It is a design for which we can be thankful. Within this time honoured framework change can take place, but it takes place slowly and with much discussion and compromise. Like a large seagoing vessel, the ship of state will creak and give with

the changing weather and tides, but it must stay afloat. Parliament, acting as the centre of wide-ranging and diverse experiences of a vast nation, must also creak and give with the tides, but it must also endure.

As politicians from all parts of the country, we are often criticized for thinking only as far as the next election. But in this constitutional debate, we have been asked to take part in a process that has far-reaching and long-ranging consequences. In this endeavour, the members of this House have not avoided the responsibility of seeing that the needs of all are duly represented. This, after all, is our duty.

But now the subject of our deliberations has reached the point of decision. In this constitutional debate, we aspire to articulate the beliefs and ideals of the Canadian people; but we must not lose sight of the fact that we do so within the dynamic system of parliamentary democracy with its built-in checks and balances, framed by the judiciary and intergovernmental relationships and under the scrutiny of the people who, after all, are the final arbiters of all our decisions.

We Canadians have come of age. We have served notice that we no longer need a foreign power to act as a steward for our Constitution. For that reason, the Constitution will be patriated—about that there is no question. The constitutional package, with its appended charter of rights and amending formula, is essentially the draft resolution of a special joint committee of Parliament and the Senate, articulating the position and the aspirations of the Canadian people, after interviewing 97 groups and reviewing 1,280 written submissions. The proposed resolution has evolved through a process of enlightened compromise. The spirit of the document is praiseworthy. The style could be improved, but to do so we would have to commission poets to help lawyers and academics draft more ringing phrases to match its elevated intent.

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At this stage, the government is criticized for acting unilaterally in bringing this proposed resolution to Parliament. The act of unilateralism has been described as uncivilized, divisive and undemocratic. This is a justifiable criticism, but it could be explained and attributed to the process. The conventional approach has been to seek the unanimous consent of all provinces. Historically, this has been ineffective because it has been practically impossible to reach unanimous agreement with the provincial governments on any issue. Even in the past week eight premiers could not convince Ontario and New Brunswick to accept an amending formula which required the agreement of seven provinces, representing 50 per cent of the Canadian population, with opting out privileges by a two-thirds majority of the legislature. To date the provincial input into this process is limited by the tyranny of unanimity; in the future this problem will be remedied.

For a period of two years, after patriation, the unanimous consent formula will remain in place and a search will be made for a less restrictive formula.

The federal government is proposing that future constitutional amendments be made on the basis of the so-called