

Mr. Jelinek: What has that got to do with the bill?

Mr. Peterson: We believe that is the way we should continue, and we will continue.

I would like to talk about the three-year mandatory term which this bill contemplates for all collective agreements. It is customary in North America, in Canada and the United States, to have far less than a three-year term in the private sector. There is a minimum one-year term, but it is not customary to impose a three-year term in a collective agreement. Why is it not customary? It is not customary because we have volatile economic circumstances. Conditions change. Labour and management need the opportunity to readjust their priorities to changing circumstances. We do not want to create a climate of hostility and lack of trust.

Fourth, the reason why this bill does not address the problem with which we should be dealing, that of labour unrest, is that it would deny employees in certain areas the right to strike.

Mr. Jelinek: That is not true.

Mr. Peterson: If you deny people in certain areas the right to strike, you would not be able to stop them. If hon. members think for one moment that they can stop a strike by making it illegal, I ask them to look at the recent example of what has happened in Poland. There, the full authority of the state was unable to overcome the indignation—

Mr. McKnight: The only comparison is between the two governments.

[Translation]

Mr. Deputy Speaker: Order, please. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The house resumed at 8 p.m.

GOVERNMENT ORDERS

[Translation]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

The Constitution

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton),—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

The Acting Speaker (Mr. Corbin): Order, please. When the debate was interrupted at five o'clock, the hon. Parliamentary Secretary to the Secretary of State for External Affairs had the floor.

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, in the few minutes I have left I would like to speak briefly to the issue of resorting to a national referendum. I have already indicated that I agree with the idea of seeking the opinion of the sovereign people in the case of a constitutional deadlock. I believe, however, that it would be contrary to the very nature of federalism if the federal government alone had the right to consult the sovereign people to break out of a constitutional deadlock which might develop between Ottawa and the provinces. The fact that one of the two levels of government unilaterally would assume the right and the twofold privilege of deciding when a national referendum will be held, and of drafting as it sees fit the question to be put to the people, can only create such an imbalance between the two levels of government that the spirit of Canadian federalism will be basically altered to the benefit of the federal government.

I would like at this point to make a distinction between the referendum held in Quebec and the referendum possibilities legislated by the Alberta government, and the referendum process provided in this proposed resolution, because the Quebec referendum, for instance, was only for consultation purposes, that is it did not bind anyone either constitutionally or legally, and only had a certain moral value. This is why I believe that Section 46 of the proposed resolution should be amended to allow the provinces, providing that seven of them representing more than 50 per cent of their total population agree to it, to initiate a popular vote across Canada in order to break a constitutional deadlock.

Mr. Speaker, I would like to complete my remarks by quoting, without comments, from a statement on the constitutional issue published last January 29 by the Assembly of Quebec bishops:

We do not see how social peace can be built on a Constitution which has not been agreed to by the contracting parties and the major partners of public authority. The possibility of achieving this peace would be even more remote in Canada since, according to the spirit of confederation and our legal tradition, any substantial amendment to the Constitution requires the agreement of Quebec for reasons which are deeply rooted in the basic duality of our country.

Mr. Speaker, because in its fundamental aspects this proposed resolution represents a step backward for Quebec, which expected a very different aftermath to the referendum, as clearly evidenced by the unanimous opposition to this proposed resolution of all provincial political parties in Quebec, whether