

### *The Constitution*

that, it is necessary to assure to different regions, inside the Canadian state, a large measure of local autonomy, so that through the experience of self-government, the nationals can give themselves laws and institutions indispensable to the growth and progress of their national values. At the same time, and in a movement of withdrawal, it is necessary that British Canadian nationalism consent to change the image it has given to Canada. If it wishes to protect and incarnate its specific ethnic values, it must do it by the machinery of local and regional autonomy, rather than by way of pan-Canadian sovereignty.

Admittedly, this was written 14 years before the Parti Québécois came into power, but it is still interesting to read what the present Prime Minister had to say in 1962. He went on to say:

Moreover, no provincial frontier coincides exactly with ethnic and linguistic frontiers, and consequently no provincial government is asked by the constitution to legislate only for a single ethnic group—that would tend to develop the nation-state mentality at the provincial level. On this point it would be well if the past attitudes of Quebec towards its national minorities served as an example to provinces which have large French, German, Ukrainian and other minorities.

It would appear that the Prime Minister was expressing ideas in 1962 that his own royal commission reflected 16 or 17 years later. Yet the Prime Minister has rejected the thrust of the Pepin-Robarts report, although you would never have known that to have been the case if you read *The Toronto Star* article by Terrence Wills on January 27, 1979. The Prime Minister is confidently quoted as saying:

I would be happy to campaign on the Pepin-Robarts (task force) general approach to Canadian unity and the constitution.

I think it is the country's loss that the Prime Minister did not follow his own advice and the advice of his own royal commission, that the thrust of a comprehensive and valuable report such as the Pepin-Robarts document should be simply dismissed by the Prime Minister and his advisers. I am sorry that the spirit of that royal commission is not present either in this proposed constitution or in the unilateral approach the government, of which the hon. member for Ottawa-Carleton is a part, is now taking.

I mentioned a few moments ago a concern, a reservation I have about the minority language educational rights in the Prime Minister's so-called "people's package". I am worried, indeed convinced, that this proposed resolution here enshrines, enhances, protects part of Quebec's language law Bill 101 forever in the constitution of Canada in so far as Canada's immigrant population is concerned. Section 23(1) does guarantee minority language educational rights if you are a Canadian or a permanent resident and if your mother tongue is either French or English. That right is guaranteed to any Canadian citizen, to enroll their children in schools of first or second official language of their choice, in any province of Canada where numbers warrant minority language educational facilities.

However, that does not extend to any immigrant family going into the province of Quebec. A Portuguese family in Calgary or a newly arrived Hungarian family in Sudbury, or, closer to home, Greek, Dutch or Italian families in my own riding of Hamilton-Wentworth have the choice to educate their children in either English or French schools, where French language educational facilities are now available, except in Quebec.

Section 23(2) says that, in effect, any citizen of Canada moving from one province to another, and in this case it applies particularly to children, have the option of enrolling in the school with the language of their choice, that is, English or French, where numbers warrant in the case of the French language. But any immigrant family, be they our Portuguese friends from Calgary, or the Hungarian family from Sudbury, or the Greek, Dutch or Italian families from my area who move into Quebec must, under Bill 101, have their children enrolled in French schools. I really wonder why should an immigrant family which moves into the province of Quebec not have the same language rights as any immigrant family who, as it states in subsection (2) "changes residence from one province to another"

● (1450)

This is an astonishing omission by a prime minister who claims he is trying to protect minority language rights by enshrining them in his proposed new constitution of Canada, but who appears to be making an exception for the province of Quebec by his very legislation before us now. This document is silent about minority language rights for immigrants.

As I used to say when I was a reporter in the Press Gallery just above you, Mr. Speaker, this is the Prime Minister who, somehow, never quite got around to challenging the legality of Bill 101 in the courts. Now, from the point of view of anyone wanting to move to the province of Quebec, he is virtually enshrining it forever, for all of us, and especially for the vitally important ethno-cultural groups that make Canada such a marvellous mosaic, but which can only feel real freedom in nine provinces out of ten. That kind of principle, enshrined in this proposed constitution of 1980, is totally unacceptable to me as I am sure it will be to any non-Anglo-saxon and non-Franco-phone groups in Canada:

I should like now to quote the remarks of an acknowledged constitutional expert, as follows:

This proposed new constitution doesn't help the immigrants one scrap. Bill 101 is allowed to continue to ride roughshod over them and it hits their children particularly.

Remember, Mr. Speaker, that "immigrants" in this case does not only apply to Third World people who wish to move to Quebec. Bill 101 affects people who do not know a single word of any other language but English. It applies to a professor coming in from the United Kingdom or the United States, immigrants from Australia, New Zealand, the West Indies—this new constitutional proposal does not look after them at all. Bill 101 takes absolute precedence over any other law. If these various immigrant families knew that this proposed charter of minority language educational rights does nothing to give them the freedom of choice that they have every right to demand, and indeed can receive in the nine other provinces of Canada, then I suspect they might think differently about relocating in the province of Quebec. That would be a shame; it could only cause a further deterioration of the economy of that province.