

*Private Members' Business*

What we would be doing, even with this amendment which is on all four with the case before the Supreme Court of the United States, is bringing into the Canadian law something which the Americans after decades of having that law in place had termed unconstitutional. We would be putting in a new law which the U.S. Supreme Court had just said was unconstitutional.

My feeling, and I do not want to attribute motives and feelings to the Supreme Court of Canada, is that it would likewise find this law unconstitutional.

• (1120)

I do not say for a moment that we should be making laws in Canada with one eye on what the Supreme Court may or may not do. What the Supreme Court does in interpreting our laws is its role. Our role is to make the laws we think are justified and right. If it is blatantly realistic that this law would be overturned it seems a folly to proceed.

The second amendment says:

That Bill C-227 be amended in clause 2 by striking out lines 6 and 7 at page 1 and substituting the following therefor:

mutilates, tramples upon for the purpose of desecrating the national flag of Canada, is guilty.

Once again, this is similar to the recent situation in Texas v. Johnson in the United States.

The third amendment says:

That Bill C-227 be amended in clause 1 by adding immediately after line 9 at page 1 the following:

For greater certainty, the national flag of Canada does not include a representation of that flag.

What are we going to call a representation of that flag?

I have no objections to the amendments themselves in that they are inoffensive. The bill is completely inoffensive. I would like to think the bill would help. No one in this country thinks more of their country and its flag than I do. However, I do not want the flag looked upon as a source of embarrassment, of concern, of caution as to how Canadians should express their feelings toward the flag in a very strong and positive way. I do not want that to happen. Canadians respect their flag and the example has been that they do.

While these amendments do not cause any problem, I do not think they change a bill which would be a mistake to implement in this House. Canadians know how they feel toward their flag. If we start attributing motives to

Canadians we are not going to help their feelings toward the flag.

By telling Canadians we trust them and to love their country and to honour its flag is the greatest safeguard we can attribute to the Canadian public.

**Mr. Ian Waddell (Port Moody—Coquitlam):** Mr. Speaker, my friend from Cape Breton has said many of the things I would say.

The hon. member from Scarborough East was right when he said this bill had passed unanimously in the House at second reading. I want to tell him that had I been in the House I would not have given it unanimous consent. I do not know what the members of the House were thinking about. They should have tackled the principle of this bill and turned it down. I will tell you why and I want to speak to the amendments while doing so.

We have so many things to do in this Parliament and this country. Surely, low in our priorities is to enact another law which is an amendment to the Criminal Code to deal with the desecration of the flag.

We have 11 per cent unemployment in this country. Does the hon. member bring forward a bill that has anything to do with unemployment?

We have plants closing in this country. We had the plant in Nova Scotia, the fly-by-night, leave the other day and the workers rebelled. What if the Canadian flag had been waved and they had said they were so angry at the government for not doing anything? What if some worker had torn up the flag expressing anger at the government in a moment of demonstration?

What would this government have done? It would have gone down there and not prosecuted that employer which threw the people out of work, nor tried to put the people back to work, nor tried to tackle the trade deals which are causing all these problems. It would have gone down there and put the poor person in jail for tearing the flag.

Where is the priority? We have a crisis in this country. In my riding in Coquitlam, a suburb of Vancouver, British Columbia, there is the Crane factory, a division of the Canadian company Crane Company Inc. It is B.C. pottery and makes toilets. The factory is closing, putting people out of work. Why? Because of the trade deals it is being flooded—pardon the expression—by American, Mexican and Chinese toilets.