

allows practical and idealistic ideas to compete, to co-operate and to contribute to nation building.

I am a very positive and constructive person, Mr. Speaker; this is my nature. But, although I take part in this debate, this moment of history passes me and many parliamentarians by, not because we think less of our country, not because we do not believe in most of the substance of the proposal, but because we believe the process for the evolution of our democratic system must be established on the basis of consensus if it is to work at all, and because a process established otherwise would be divisive instead of unifying.

I cannot vote for this act. The government has no mandate for and no consensus on this act. The act denies the very essence of successful federalism. In the end, the people and the country will survive and history will judge us all. We will be a great nation, depending on the will of the people to overcome the barriers thrown up by the perhaps well-intentioned but certainly misguided politicians.

● (2110)

**Mr. Jim Manly (Cowichan-Malahat-The Islands):** Mr. Speaker, I appreciate the opportunity to take part in this historic debate on Canada's Constitution. We all know this will be a long debate. Our party wants as many members as possible to take part in it, to speak and to express their views, so I will be brief and I will commend my example to my colleagues.

When I spoke on the initial proposal last fall I said, that while I supported many features in the constitutional package, I deplored the inadequacies in the charter of rights and its failure to recognize the rights of women and of Canada's native people. Today I am happy to say that most of my earlier objections have been removed. This is a good package. It is not perfect, but it is a good one. Through the work of the joint committee the original proposal has been improved beyond all measure.

In this respect I want to pay tribute to all members of the committee. They worked long, hard hours; they gave their dedication and sincerity to that process. In particular I wish to single out the hon. member for Yorkton-Melville (Mr. Nystrom) and the hon. member for Burnaby (Mr. Robinson).

I regret that the government and the Tory opposition were not willing to accept the amendment moved to Section 15 by the hon. member for Burnaby which would have protected people from discrimination on the grounds of marital status, sexual orientation or political belief. The hon. member for Yorkton-Melville said he cannot support the proposal in its present form. I regret that, but I want to say it was largely because of the work of the hon. member for Yorkton-Melville that today I can support the package. I very much appreciate his work.

Before I move to the question of aboriginal rights, which I think is central to the Constitution, I want to look at some of the other positive features of this package. In addition to the Charter of Rights and Freedoms, it enshrines the principle of equalization so that all Canadians will have equivalent access

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to social services. It has a resource clause which gives provinces greater control over their resources, and it gives them the right to indirect taxation. The proposal includes an amending formula which I believe is reasonable and fair, considering the diverse nature of our nation. This amending formula requires the consent of each of the four regions.

There has been an attempt to whip up opposition in the west to the fact that Ontario and Quebec have veto power. We need to remember that the west also has veto power in this respect, as do the maritimes. When we look at the population of the four different regions—the maritimes with two million people, Quebec with 6.5 million, Ontario with 8.5 million and the west with seven million—apart from the maritimes, which is much lower in population, the other three regions are more or less equally balanced. What other formula could give the needed flexibility and still protect the interests of each region?

Surely we do not want to endorse the need for unanimity. This has been the hangup for the last 50 years. We do not want to have a situation where Prince Edward Island, with half the population of Vancouver Island, would have a veto.

The Tories have advocated the Vancouver consensus. This would give each province the right to opt out of such fundamental provisions as the charter of rights. This is the kind of amending formula which would have warmed the hearts of the confederate states back in 1860; it denies our basic unity as a nation. I believe the present amending formula is reasonable and fair, and I speak as a member from British Columbia. Above all else, I support the constitutional package because at long last it recognizes the rights of aboriginal peoples of Canada. We cannot overestimate the symbolic significance of this step.

In the pre-Confederation history of Canada, Britain and France entered into relationship with various Indian nations; they looked upon one another as allies. They formed pacts of peace and friendship. The Royal Proclamation of 1763, which recognized the rights of aboriginal people, indicated that an historic relationship of trust had to be maintained. At the time the British North America Act was passed in 1867, this relationship was not considered, it was completely forgotten. The Indian people were not consulted about their place in the new nation. The federal government protected their interests only to the extent of reserving to federal jurisdiction "Indians and lands reserved for the Indians" under Section 91-24 of the BNA Act.

In the 114 years since that time the aboriginal peoples of Canada had no constitutional standing. The Indian Act has not been a helpful act as far as Indian people are concerned. It is something which has been imposed upon them. Legislative changes in the act over the past century have robbed Indians of their right to determine the course of their own lives, the form of their own government and the shape of their own societies.

When the government brought out its original proposal to patriate the Constitution last October, it did nothing to improve that situation. The rights of aboriginal peoples were not recognized, except in a negative manner. The historic