

The Constitution

In my opinion, this unilateral proposal threatens to break up, for all practical purposes, the balance of powers which has always existed between our two levels of government.

That is the opinion of a Liberal Senator, Mr. Deschatelets.

[English]

Then I quote the remarks made last month by Senator George McIlraith, who served with such distinction for so long in this House, including as House leader on the government side:

I have served in Parliament now for the past 41 years. During that time the governments have been headed by five Prime Ministers. I have been a Liberal all my adult life. All of the political leaders I noted earlier in my remarks were leaders I respected and admired. With the exception of Sir Wilfrid Laurier and the Honourable Hugh Guthrie—whom I merely met but could not say I knew—they were friends of mine. Were they all wrong? Were all the leaders of the Liberal party in the past three-quarters of a century totally wrong, or could it be that our present government is wrong in taking a diametrically opposed course of action to the one all those leaders thought necessary and proper? Could it be that the present government is wrong in this attempt to make these basic amendments to our Constitution unilaterally, with a bare majority in the federal Parliament?

I want patriation but I cannot acquiesce in the wrong and dangerous course we are being asked to follow in most of the proposed legislation before us. In the exercise of my responsibilities as a senator, I have no alternative but to vote against this resolution in its present form.

Thus spoke Senator McIlraith.

Some hon. Members: Hear, hear!

Mr. Stevens: A great Canadian!

Mr. Clark: The Prime Minister has not listened to the Liberals in the Senate. He has not listened to the member of Parliament for Montmorency-Orléans (Mr. Duclos). He has not listened to Claude Ryan. He has not listened to Gordon Gibson. He has not listened to the long list of others in his party who are offended by what he is saying and what he stands for. He has not listened to the elected premiers of the eight provincial governments who oppose his measure.

He rejected our proposal in the fall to bring the Constitution home with the Vancouver formula. He rejected our proposal to split the resolution and to send the charter to the provinces for consideration. Now he indicates that he will accept none of the amendments we proposed to improve the charter of rights and respect the federal nature of Canada.

Instead of treating the Constitution as though it belonged to the whole country, he has acted as though it is his alone, to change in ways that are his alone to choose.

Some hon. Members: Shame, shame!

Mr. Clark: The Liberal party lets him get away with it, as does the NDP, sitting complacently back while the constitutional measure which is one man's obsession is forced through this Parliament. I do not begrudge the Prime Minister his place in history, but I would like him to leave us a country to live in when he is gone.

Some hon. Members: Hear, hear!

Mr. Clark: It is that country which his measure and his method deeply threaten. He has one more opportunity now to prove that his concern is for the country and that his motive is national and not merely narrow and personal.

[Translation]

The Prime Minister now has a chance to do his duty as a Canadian statesman. He has at least six weeks ahead of the Supreme Court ruling, six weeks in which to try to achieve a consensus. Once the Supreme Court decision is handed down and if the latter asserts the legality of the resolutions, at least as far as its format is concerned, the order of the House will provide the Prime Minister with two days of debate in the House, followed by speedy action in the Senate, and this will conclude the consideration of this proposal by Parliament. This time frame has been set, and we accept it. But it also allows the Prime Minister, without any delay whatsoever, to follow-up on the premiers' initiative.

In September, the ten premiers made him an offer. He failed to make a counterproposal. There are now eight premiers who are proposing a detailed amending formula. He does not have to accept it in toto. But we consider it a basis for serious round of discussions, in the same way that we consider the government resolution, including the charter of rights with the amendments we propose, as a basis for serious and reasonable discussions.

I maintain that the Prime Minister of Canada has the duty to call a meeting and the right to draw up its agenda. Why will he not call such a meeting? Why will he not respect the federal system? What is he afraid of? He has just been rejected by the people of Quebec. Is he afraid to face the Premier who has just served him a good thrashing? The Prime Minister of Canada should not be afraid of such a meeting. If it does not lead to any agreement, he could then follow up on his resolution unless the court finds it illegal. And if there is an agreement on the procedure to follow with respect to a charter of rights, an amending formula, and perhaps the application of Section 133 to Ontario, he and Canada as a whole will have gained enormously.

The Prime Minister should put aside his personal vanity and take advantage of this opportunity to gain so much for Canada. He has the absolute obligation to call a first ministers' conference.

[English]

We now have before us amendments from the three parties. I want to deal very briefly with the very skimpy amendments put forward by the Liberal party, by the government. Of course, they come in two batches: the official ones under the name of the President of the Privy Council (Mr. Pinard), and the unofficial Liberal amendments in the name of the New Democratic Party.

We want to congratulate the NDP on agreeing with our wording on equality for women in the amendment.