

properly in the past. However, while we should have some amendments, I believe that, even if we did not, we need not be worried about taking a step backwards.

To meet the concerns expressed, we propose that Section 28 of the Charter be incorporated in Section 16 of the Accord. Here we have a need for consistency and symmetry. With multicultural heritage and aboriginal rights being given special recognition it is very important that women's equality not be lost.

What happens if we do not achieve amendment? I still think the security we have in Section 28 is adequate. This gives women that extra recognition that equality is a fundamental part of our Constitution. We have Section 15 as well as the back-up of Section 28. I feel very confident that that will be adequate.

It has been suggested that the distinct society recognition could be used against women's equality. I think that argument is all wrong. In the 1930s in Quebec, when women did not have the rights they had in other parts of the country, that certainly would have been a legitimate concern. However, we are not living in the 1930s. Quebec is a very different society in the 1980s, one in which women's equality is perhaps closer to achievement than in many other parts of the country.

[Translation]

Quebec was the first province to pass an act providing equal pay for work of equal value. The *Régie des rentes* in Québec was more favorable to the participation of women than the Canada Pension Plan. The Quebec Plan includes the drop out measure providing for the inclusion of women homemakers when they have a child of less than seven years of age. That measure was rejected by Ontario for many years which, because of the veto of that province, blocked any move in that direction for the rest of Canada. So the distinct society made possible a valuable difference. Later on, that measure was introduced in the rest of Canada.

● (1200)

[English]

Here we see doing something differently was actually beneficial, and the rest of Canada caught up. I do not think we have to worry about distinct society impinging on women's rights. Nor do I think the distinct society recognition is any loss for the rest of Canada. It is simply a fact of life, and the Accord is very clear that most English-speaking people live outside the Province of Quebec but some live in Quebec, most French-speaking people live inside Quebec but others live in all other parts of the country. Minority rights are recognized in our Constitution before and after the Accord. It is not a give-away, it is simply a recognition of Canadian reality.

Another very, very serious objection that has been raised against the Accord is that it weakens federal powers. It has been stated that the federal power will be so weakened that we

will not be able to create the social programs we need to face and solve the problems we have as a united nation.

*Constitution Amendment, 1987*

I do not believe that the Accord has that kind of effect at all and I think people are being caught up too much in theory and abstractions. I think the remarks of former Prime Minister Pierre Trudeau are simply off base. He talks in an academic fashion, in the pejorative sense of the word, being far-fetched, argumentative, theoretical and indeed capricious.

Let us look at the reality. The Accord comes close to the reality that exists. It is a change on paper but it is not really a significant change in how we order our national and provincial shared responsibilities. Indeed, the federal Government for the first time will have a stated explicit constitutional authority to spend in areas of exclusive provincial jurisdiction. Again, this is not a give-away, this is not something that any province has lost, because that power was already recognized in fact, thanks to the very significant spending powers the federal Government had. It is not a change in practice but it is constitutionally accepted.

There are about a hundred shared-cost programs of various sorts between the federal Government and the provinces. The really significant ones were achieved by consensus and negotiation. In some cases, it was a 100 per cent consensus. Our great social programs like the old age pension, unemployment insurance and the family allowance were achieved only when all provinces agreed. Then we have a different situation with the Canada Pension Plan and the Quebec Pension Plan. Here we have two slightly different plans set up, but this was not a defeat for Canada, this has actually been advantageous.

The Quebec Pension Plan has done things a little differently, and in some cases I say the Quebec Pension Plan has done things better. In some cases, the Canada Pension Plan has subsequently accepted things begun by the Quebec Pension Plan. We can see that this possibility of having provinces do things differently, as long as they meet national objectives, is not a new departure. We have been doing this anyway and it is a healthy development. It has been good for the country and it will continue to be good for the country.

There have been disputes between the provinces and the federal Government, for example in medicare, and we only got medicare because a province started it, the CCF Province of Saskatchewan. Ontario opposed it, but very soon thereafter when it was brought in on a national basis, Ontario came along.

We need to have some flexibility. We need to have negotiation. I suggest that the next social program that we need and that I hope we are going to have, namely child care, will only be successful if we have federal-provincial negotiation and consensus. These are not matters in which there is any significant change, and indeed the change on paper will strengthen federal powers by constitutionalizing the right of spending in areas of exclusive provincial jurisdiction.