

The Constitution

our valuable resources to foreigners, while our country grows relatively poor and theirs grow richer.

Is it any wonder then that I am reluctant to enter this unnecessary debate when less than 10 per cent of the Canadians surveyed rate it as a low priority issue? This debate, which has wasted a year of Parliament's time, is on an issue which, instead of uniting the people of this vast and diverse land, has divided us all the more. What a legacy this Prime Minister (Mr. Trudeau) will have left to Canada's posterity! This is a debate which I enter out of a sense of compulsion. I enter it reluctantly because it is not necessary. The British North America Act and the common law have served us well.

This debate is divisive because it pits region against region and Canadian against Canadian. It is counterproductive. It emphasizes differences instead of cementing similarities of purpose. It is dishonest in that it masks the real issues with which governments should be dealing, and it has used up a whole year in smoke-screening, unwillingness and inability of the government to deal with and solve the real problems of the country.

A member might well ask himself why he should enter into acrimonious debate which can only serve to divide further this wonderful country of ours when the Prime Minister of Canada has clearly indicated that he will not change his mind, no matter what any of us say, on unilateral patriation and on the charter of rights, even though one in every two Canadian is opposed to these actions, even though eight out of ten provinces are opposed, and even though six provinces feel it necessary to take the matter to the courts.

So just what purpose is there in my taking up the valuable time of the Parliament of Canada to speak out against this undemocratic and unCanadian action by the Liberal Government of Canada, which ignores the wishes of the people of Canada whom the government is sworn to serve? Well, let us have it clearly understood: a government is put in place to serve the people of a country. The people do not serve the government. This Trudeau Liberal government, in securing its mandate in the last election, declared it would serve the people in matters of lower cost energy, lower inflation rates, and by instilling a greater sense of unity in a divided country. It made no mention of constitutional change and therefore has no mandate from the people of Canada to carry out these drastic and divisive changes to our Constitution.

If the government believes itself to be right in its views and actions, but if those actions are contrary to the wishes of the majority of the people, then democracy fails. There are many times when complex issues are resolved by Members of Parliament, the representatives of the people, without the direct involvement of the people on complex issues. However, the Constitution of a country cannot be one of those items. The Constitution by which a nation will govern itself into the future is a document which must come from the people and reflect their views and beliefs. It cannot be the unitary and arbitrary act of one man or one political party dancing to the tune of one man. If one man or a small group of people feel they know better than the clearly expressed wishes of the

majority and if that small group imposes its will contrary to the wishes of the majority, then democracy is replaced by oligarchy or, even worse, by dictatorship.

My purpose, then, in rising to debate is simply to sound a warning to those who will listen that this government has no mandate and little public support to act as it is acting in relation to the present Constitution of Canada. It is intolerable and inexcusable for this arrogant Prime Minister to say that it does not matter what Canadians think. He will not change his mind on this matter, which is critical to all Canadians and even to unborn generations. Let the Prime Minister take part in this debate—I hope he will—and tell us all why he has such an obsession to give the people a new Constitution, when they already have one, and to amend it in a way that every second Canadian opposes.

Just what is wrong with the present Constitution? We have a partnership agreement with the provinces which has served us well and has built a great nation over the past 114 years. Can it be that the traditional French bitter mistrust of anything British has blinded the Prime Minister to the fact that the British North America Act—which was really designed by Canadians, aided and bolstered by the common law, which was patriated not only to Canada but also to the United States from Great Britain centuries ago and has constantly been amended and updated by Canadians—has successfully protected Canadian rights, Canadian lives and Canadian property right up until the present? The common law, linked to the British North America Act, has bound Canadians together and to the land they love for over a century.

Can the Prime Minister explain how written words or even words chiselled in stone can better protect the rights of a citizen when a government—any government in any future day—can do away with those written words just as easily as the Prime Minister did away with the rights of Quebec citizens under the War Measures Act, for example? It is not that the War Measures Act was wrong or right but simply that it happened, and it can happen again any time a government decides to call an emergency, in spite of golden constitutional words to the contrary.

• (1750)

We are all aware of the world's finest, most flowery constitution, that of the Union of Soviet Socialist Republics and how it protects the rights of its citizens! I would like to read a few words from it for the benefit of the Prime Minister, although that may be unnecessary, as his inspiration for his own charter of rights may have originated there. Article 2 of the U.S.S.R. charter says:

All power in the U.S.S.R. belongs to the people.

That is great stuff. Article 34 says:

Citizens of the U.S.S.R. are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

Article 50 reads, in part:

—citizens of the U.S.S.R. are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations.