

The Constitution

the division that caused in the House at the time. Indeed, that division was painfully felt in my own caucus. However, I would not hesitate to say that I believe one would be hard pressed to find a member in this House today who would be opposed in any fundamental way to the Official Languages Act. That is as it should be, given the fact that this statute, now the law of the land, helps to redress a grievance which went to the very heart of the unrest in Quebec, and the place of French-speaking Quebecers in Canada.

I also recall, vividly and with personal regret, and this is the first time I have had the chance to say this publicly, that day ten years ago when this government, with the approval of this House, imposed the War Measures Act. It is difficult to find adjectives to describe that measure, but certainly you could describe it as a Draconian measure designed at the time it was drafted to protect the national security in time of war or, in the wording of the act, in the case of what the act calls "apprehended insurrection".

That was not a proud moment for any of us, sir, because, and we did not realize it at the time, that move had the effect of placing the entire country under martial law; placing in suspension the very fundamental freedoms proposed for entrenchment in the constitution by this measure. That involves a question which we will want to get back to when we have a chance in committee.

Proposed section 2 of the bill sets out the charter of rights and freedoms. Who in this House would be against any of these basic human rights and freedoms? We are all in favour of "freedom of conscience and religion", "freedom of thought, belief, opinion and expression, including freedom of the press and other media of information", and we are all in favour of "freedom of assembly and of association" and the right to vote. Good heavens, who would be opposed to that?

Whether or not the entrenchment of these basic and fundamental rights and freedoms in our constitution, given our parliamentary system and tradition, is the way to go about it, raises a question that keeps bothering me. I have not satisfied myself on that score.

Having said that, that does not put me in second place to anybody who can speak just as strongly for entrenchment, because I believe just as strongly in these basic fundamental rights and freedoms. I believe with all my heart that this country should never permit the imposition of the War Measures Act in time of peace.

It was fascinating to watch the first ministers, the premiers of the country, together with the Prime Minister discuss through the public media Canada's future. I was touched and deeply moved by the very learned paper presented by Premier Lyon on this question. I must confess I had not given this matter that much thought up to that point in time because I felt entrenchment was so fundamental there was nothing to think about. That argument put forward by Premier Lyon was given equal support by Premier Blakeney of Saskatchewan, representing both spectrums of political thought in this country. I found that very interesting. That is not really the point I

wanted to make. It has to be said that we all favour some form of protection of these fundamental rights and freedoms.

The point I want to make is that we have to examine this bill in the context of sections 41 and 42 and the power the federal government assumes to itself in terms of the authority it will derive from these provisions of the bill to bypass the legislatures of the provinces on constitutional change. That is a move which, as I have said, will change the very structure of the nation, and which will change the very partnership concept of the nation that was at the root of the agreement arrived at in Charlottetown and in Quebec by the four founding provinces.

● (1620)

I will not go into that argument at this time because it was covered very adequately and very impressively by my leader and, I might say, by my learned friend and colleague, the hon. member for Provencher (Mr. Epp). My colleagues and I owe the hon. member for Provencher a great debt for the leadership he has given this caucus as our spokesman and chairman on federal-provincial relations.

Some hon. Members: Hear, hear!

Mr. McGrath: The last time I addressed this question in the House, which was just a few months ago, I made the point, and I repeat it now, that each one of us by virtue of his or her election to this place has three principal responsibilities or three constituencies we have to serve. We each one of us have a responsibility to our constituency. We each one of us have a responsibility to our province and, of course, we each one of us have a responsibility to the nation as a whole. There are times when the national interest has to take priority, and I would not hesitate, if the situation warranted, to place the national interest above my own province or constituency interest.

But there are times as well when the national interest is served, and well served, by a member addressing his provincial or constituency responsibilities, and I believe that such a time is now. That is why I would like to take a Newfoundland and perhaps regional perspective as one who takes second place to none in his commitment to this nation, in my commitment to Canada and in my commitment to a strong, viable federal government able to carry out its responsibilities. I am satisfied that I am serving the national interest when I address myself to the regional and provincial implications of the measure which is now before us.

Sir, I doubt if you would find anyone in this country who would be opposed to the entrenchment of the principle of equalization in any Canadian constitution. That too is a part of the very fabric of the nation. The fundamental concept of equality and sharing is the very root of our federal system, but we must be very careful that we do not entrench in the constitution the very thing which equalization seeks to address, regional disparity, and that is a concern of mine.

When this nation was formed 113 years ago, the Atlantic provinces were relatively prosperous for their time. Indeed, they were prosperous by comparison with the other parts of the