

Mr. Speaker, methinks it was a rat they caught under the chair. That is what is hidden in this document. If the Prime Minister and the government are permitted to carry this resolution through to a conclusion, we will be dealing with a new and different constitution imposed hastily and against the wishes of the majority of the provinces. All the checks and balances which have grown up over 100 years will be destroyed.

Coming to the performance of the Minister of Justice (Mr. Chrétien)—who was here earlier tonight and I am sorry is not here now—I want to make as many allowances for him as possible because, through the years, he has been a good friend of mine. We all understand his commitment to constitutional revision, which is second only to that of the Prime Minister. He has talked about promises made during the referendum campaign. We have no way of knowing, of course, what promises the minister may have made within the purlieu of his own riding. For all we know, he may have promised the moon. But he cannot expect Parliament to make good on all the promises he may have made in the referendum campaign. He may have been guilty of overselling, but that is between himself and his electors. We are dealing with an attempt by the government to do away in one fell swoop with a system we have enjoyed for over 100 years. We are dealing with an attempt to replace a system we have enjoyed for over a century with one devised by the Prime Minister. We are faced with a situation which is absolutely unique in our history when the Government of Canada decides to revise and amend, in effect to rewrite, the Canadian Constitution through the instrumentality of the British parliament, in spite of the fact that the majority of the provinces are against it.

● (2110)

What are the principles embodied in the Prime Minister's amending formula? How easily he and his government toss them aside when it is a question of replacing the constitution with one that they want. How easily we can understand the socialist government of Saskatchewan and the position of the socialist party in this House. They believe in the absolute right of the state to control everything. That is their overriding principle and the mere matter of the constitution does not change that position, despite the remarks of the critic for the NDP. There have been criticisms, too, from the government side, of the proposal, by the premiers to take the government to court to block the proposed action. I can see nothing wrong with that. An implication that this action is undemocratic or indefensible is not quite understandable when that party themselves referred Bill 60 to the Supreme Court.

I put it this way, sir. If it is not unconstitutional for the federal government to rewrite and revise the Constitution of Canada unilaterally, then what could possibly be unconstitutional? I do not see how any of these proposals can have any effect at the provincial level unless the provincial legislatures ratify and agree with them. Certainly the proposed bill of rights, which falls squarely within the property and civil rights section of provincial jurisdiction, can end any legal standing in

any province until and unless adopted by the legislature of that province.

It made me sick to hear the Minister of Justice (Mr. Chrétien) and others opposite refer to the Right Hon. John Diefenbaker's proposals. Mr. Diefenbaker would not be pursuing the course that is being pursued here today. He would have sent his Bill of Rights to London and he would have had it incorporated into the constitution. He would not have gone even that far without the consensus of the provincial premiers, because if any man in this country knew what the constitutional bounds rested upon, it was that right hon. gentleman who is no longer with us. The first ones to cry loudly to Heaven against such an action would have been those who sit opposite. Mr. Diefenbaker was too good a Canadian and too good a constitutionalist to engage in this kind of constitutional sleight of hand.

I say to the Liberal majority over there—those who won an election by telling the people of Canada that they would not increase the price of oil and who are now riding roughshod over provincial rights—that there is a great deal more to the constitutional arrangement than a scrap of paper, which is how they seem to regard it. The constitution can only be honoured if it is respected by those it is intended to serve. It cannot be imposed and forced upon people by a government majority in Parliament. I repeat, we are for patriation; bring it back and we will support it. But bring it back unchanged. When it is in Canadian hands then we will go about amending the constitution in a constitutional way, in Canada.

What the government is doing is illegal by the criteria of their own formula. We want language rights; we will put them in the constitution when each province ratifies that proposal within its own jurisdiction. That is what Quebec wants and that is what the majority of the provinces want. This, sir, is an amendment by force, an amendment by compulsion. This is nothing more or less than the rape of the constitution by the Liberal party. Speaker after speaker over there has risen to say agreement cannot be reached. That is their excuse for going this route. They say the provinces are too slow in consenting, that they do not move quickly enough for this Liberal majority. It used to be the socialists who were Liberals in a hurry and now it is the Liberals who are republicans in a hurry. They cannot wait for the exercise of provincial rights so they wipe them out, wipe them right out of the book. If you can do this you can do anything.

The Prime Minister has already promised to make further changes satisfactory and appealing to his friends, allies and bedmates in the NDP. Apparently that has happened tonight. I do not know what the details are, but it is all part and parcel of their tactics. The Prime Minister's attitude is that the constitution belongs to him and to the Liberal party. He will make the changes. He will write in whatever they want. He has absolute power. What is a constitution worth under those circumstances? It is simply a Liberal document put together in the back rooms of the Liberal party and shoved down the throats of an unwilling nation. Can anyone blame the premiers for going to court? Perhaps in the courts of this country they