

15. Section 61 of the said Act is repealed and the following substituted therefor:

"61. A reference to the *Constitution Act 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto."

*General*

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

17. This amendment may be cited as the *Constitution Amendment, 1987*.

**Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development):** Mr. Speaker, as the Member for Madawaska—Victoria in the Province of New Brunswick, and as an Acadian and as a francophone outside Quebec, I welcome this opportunity to take part in this debate on the 1987 Constitutional Accord. Today, I would like to comment on one of the fundamental aspects of the Accord, one that has my full support, and I am referring to the recognition of linguistic duality and the consequences for official language minorities.

The patriation of the Constitution in 1982 gave us a chance to recognize and confirm the importance of certain fundamental values and characteristics of our country. At the time, we recognized the rights of native peoples and stated our will to protect our multicultural heritage. We also guaranteed the equality of men and women, democratic rights and major language rights.

However, Mr. Speaker, how can any country be proud of guaranteeing and recognizing rights so fundamental for its citizens, how can any country be proud of such an accomplishment when we all know that the 1982 Accord left out one of the fundamental parts of the Constitution, one of the founding peoples of this country which had legitimate demands, demands which Quebec had presented to Canada long ago?

In 1982, Quebec was left out, and that is why the 1987 Constitutional Accord is so important. In addition to bringing Quebec back into the Canadian family, the Accord takes us even further in our recognition of language minorities. As a result of this Accord, Canada's linguistic duality will now be recognized in the Constitution. It is the first time in the history of this country that all Governments have agreed formally to define this fundamental characteristic of our Federation, and we are not talking about two nations or two totally separate entities but about French-speaking Canadians and English-speaking Canadians, living together across this country. I see this as continuing what we have already accomplished in the sphere of official languages. We are finally recognizing, in the Constitution, that which forms the foundation of our efforts to ensure respect for our two official languages.

Furthermore, all provincial legislatures have been given the responsibility to protect this fundamental aspect of our Federation. All provinces have now pledged their support for our language minorities. When we consider how important the

full and unstinting co-operation of provincial Governments is to the future of these communities, we can only rejoice in such an undertaking. The Commissioner of Official Languages said that language minorities have now acquired the kind of protection they did not have before. Whatever some people may claim or maintain, this was not a foregone conclusion. And to those who are shouting from the roof-tops that Canada gained nothing and Quebec was the only winner in this spring's negotiations, we should recall what was said by the committee.

As the report points out, none of the five conditions set forth by Quebec sought explicit constitutional recognition of the existence of linguistic minorities in that province or elsewhere, nor was there anything about Quebec having a role to play in the protection of such minorities. The committee also recalls that the provincial Premiers went to Meech Lake to deal with the issue of Quebec being a "distinct society", one of the things Canada obtained in the constitutional negotiations. The provincial Premiers went back home, fully committed to enshrine in the Constitution the obligation to protect francophone minorities in their own provinces. They agreed to the formal acknowledgment of the presence of these minorities as being a fundamental characteristic of Canada, and this is one of the things Canada obtained in the constitutional talks.

[*English*]

Some concern has been expressed about the fate of these minorities as the Constitution simply affirms the role of the provinces to preserve linguistic duality. It is feared that the *status quo* will be maintained whereas bilingualism still has a very long way to go in many provinces. I agree with those who say that there is still much to be done in the area of bilingualism. On this I believe we fully agree. However, I do not share the view of those critics who state that because the Constitution affirms responsibility for preservation, nothing else will be done, for it is clear that such an affirmation establishes a minimum common undertaking. It does not prevent any Government from doing much, much more.

• (1120)

Affirmation of this role did not prevent the adoption of Ontario's Bill No. 8, nor has it stood in the way of our tabling a new Official Languages Act. The provisions of the new Bill dealing with the advancement of official languages exceed by far all that has been accomplished to date. Clause 40 of that Bill reads as follows:

The Government of Canada is committed to enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development and fostering the full recognition and use of both English and French in Canadian society.

[*Translation*]

The measure also provides that the Government will take positive steps to live up to this commitment, both by working in its own fields of jurisdiction and by encouraging the provinces, the municipalities as well as the major associations