

*The Constitution*

legislature during the 1940s and 1950s. Try to explain to Chinese Canadians that they were not even considered as persons in the Election Act of 1885.

These points illustrate one of the deficiencies of the Vancouver consensus as well. If, as under the provisions of that amending formula, provinces may opt out of constitutional obligations, the results would be disastrous. Alone among truly democratic nations, our citizens would be unsure of their rights from one provincial jurisdiction in the country to the next. We would have, as has been said often, a checkerboard of rights across Canada. Canadians travelling from one end of the country to the other would be playing Russian roulette with their fundamental rights. We need only look back to the actions of the government of Alberta during the early years of the Social Credit regime, where that government sought to stultify legitimate political opposition through repressive press laws.

Some will say that these are isolated incidents in our history, and fortunately they are. However, to hide our heads in the sand by patting ourselves on the back for our tolerance is to forget that Indian women are still discriminated against. As a group generally, women must still struggle to achieve some level of equality in the workplace and elsewhere. It is too easy for most of us to adopt an "I'm all right, Jack" attitude when it comes to providing services to the physically or mentally handicapped. Through my personal experience as a member of the Association for the Mentally Retarded, I am acutely aware of the frustrations of people who know that their contribution to Canada is stunted by a society structured to conform to an arbitrary standard of ability.

Some of the interest groups who came to my office represented aboriginal peoples who have grown dismayed by the erosion of their culture and the lack of participation they feel in the building of our country. They sought an affirmation of their rights within a strong and forward-looking Canada. All Members of Parliament share this view, as shown by the unanimous support for amendments strengthening aboriginal rights.

Mr. Speaker, people can deny the rights of others too. We know that throughout Canadian history immigrants were encouraged to come to Canada to escape religious discrimination, or the insidious discrimination that poverty brings. They saw and continue to see that Canada holds the promise of a bright future for them and their families. In all parts of Canada their industry, vision and imagination have added to the diversity and strength of this country.

What is the Canadian way of life, Mr. Speaker? Certainly it is not some narrow perception offered by a few fringe spokesmen. With few exceptions the Canadian way of life has been one of tolerance, enriched by the contribution of people from all over the world.

It has become a truism that Canada is a nation of immigrants, for, with the exception of the aboriginal peoples, Canadians can trace their roots to the four corners of the world. Canada owes its development as a peaceful and tranquil nation to its own people, be they new Canadians or people

whose families have been in Canada for generations. It is for this reason that the enshrinement and recognition of Canada's multicultural heritage in our Constitution is so important.

What is easily forgotten is that politicians and political interpretations are transitory. With respect, I would point out to those who oppose this resolution that, as much as anything else, we are building the future. We are building a modern Canada. We would need a knowledge bordering on the divine to forecast the future, and while we would sincerely wish for orderly development, we are scarcely equipped to predict the endless possibilities for the future.

Equally transitory is public opinion and the social conditions which will rapidly change the face of future societies. For many people, Orwell's "1984" looms as an ominous year, demanding the vigilance of the people in order to protect their own rights. It is significant, then, that in advance of the change that is sure to overtake the future we as a Parliament affirm the rights and dignity of the person.

What are the rights that we seek to enshrine in a new Canadian Constitution, Mr. Speaker? Legal rights will ensure that the citizen is given the best possible protection from arbitrary justice. In attempting to build a sense of mutual trust between the citizen and the law, we seek to make clear rules that will inform the alleged offender of the charges and possible punishment that he or she faces. We want to embed in the Constitution the principle that persons may retain counsel promptly to assist the offender in seeing that justice is done.

The new Constitution will effectively outlaw unreasonable search and seizure, keeping Canadian law in line with the provisions of the United Nations covenant, to which Canada is a signatory.

The Constitution will make clear that no one will be prevented from voting in or contesting an election for the Parliament of Canada or a legislature of any province. This democratic right will ensure that one of the most fundamental principles of Canada is clearly spelled out, and that all citizens share in the governing of Canada.

● (1600)

The charter of rights contains provisions for fundamental freedoms that will guarantee Canadians freedom of expression, thought, conscience and religion. Canadians will be entitled to associate with people they choose, and to assemble peacefully with fellow citizens.

In a society which values democracy, freedom of the press is one of the most sacred principles that society can hold. Freedom of the press, therefore, is one of the fundamental freedoms this resolution seeks to enshrine in our Constitution.

Let me make it clear that in adopting this resolution, Parliament is not "granting" rights to people; we are merely affirming fundamental rights that we accept as a given fact of life in a democratic society.

By including the aged and mentally or physically disabled among the categories of people who may not be discriminated against, we are saying that all people in Canada may partici-