

and virtue . . . Yet, the very first lines in our Charter of Rights and Freedoms provide, under Section 1, that these rights and freedoms are—

—subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Mr. Speaker, no government, even one controlling 211 seats in the House, can rightfully claim that it has the exclusive knowledge of what is good for Canadians.

Mr. Speaker, you are signalling that I am about to run out of time. I urge all my hon. colleagues, irrespective of their party affiliation, and even my learned friend the Hon. Member for Bourassa (Mr. Rossi) to contribute positively to this debate on Bill C-27 and to refer it without delay to the Standing Committee on Justice and Legal Affairs for further study and possible improvements.

[English]

The Acting Speaker (Mr. Paproski): Are there any questions or comments?

Since there are no questions or comments, we will resume debate. The Hon. Member for Mount Royal (Mrs. Finestone).

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, as April 17 approaches, I take great pride in both my country and my Party.

Three years ago the Liberal Government and its provincial counterparts brought to Canada the guarantees that are so vital to life in a democratic society such as ours. The Canadian Constitution with its entrenched Charter of Rights and Freedoms expresses in legal language the values that we hold dear, the values we proudly stand for on the world stage, the values we wish to protect and pass down to our children and to our children's children.

[Translation]

For the first time, the Charter was entrenched in the Constitution to fight against oppression and discrimination. The Canadian Charter of Rights and Freedoms asserts the basic freedoms and rights to equality of every Canadian. Section 15 of the Charter lists these rights:

—the right to the equal protection and equal benefit of the law without discrimination . . . discrimination based on race, national or ethnic origin, color, religion, sex, age or mental or physical disability.

● (1730)

[English]

We are all aware that Section 15 of the Charter comes into force on April 17. Unfortunately, we will not be able to greet the present Government's treatment of Section 15 with the enthusiasm that we should have for the Charter as a whole or that which we were able to show and demonstrate for this Charter. There will be small reason for us to celebrate that day. The present Government has done less than half its job. Almost two months ago, it introduced Bill C-27 into this House. The Bill was to ensure that federal legislation complied with the Charter. In part, it sought to ensure compliance with the forthcoming implementation of the equality rights provisions of this Charter by amending only 50 pieces of federal legislation out of 1,100 statutes which they had to look at,

Statute Law Amendment Act

including legislation in the Livestock Pedigree Act and the Merchant Seamen Compensation Act.

I really do not think that these were the major issues that the Coalition of Women's Groups had in mind when they fought so hard to ensure that this vital section found its place in the Charter reflecting our value system. In fact, it is a tremendous disappointment.

What the present Government failed woefully to do in Bill C-27 was to bite the bullet. It failed to bite the bullet on a score of other equality issues that it is obliged to address in order to ensure compliance with the grounds outlined in Section 15. Instead, it has chosen to introduce partial and cosmetic changes. It has merely tinkered with language and delayed decisions on a number of truly critical equality issues through the mechanism of another discussion paper.

I suggest that the Government is afraid to address too many of the hard issues of the day. It lacks the political will to treat unpopular issues. Governing a country of over 25 million people is not a popularity contest. Canada prides itself on its multicultural nature and, therefore, it makes it an even more complex society, along with its bilingual character. Unfortunately, this Government has not yet learned really to face the facts. Perhaps it will one day realize that it cannot have everyone love it all the time. This Government is busy perfecting the art of protracted consultants and is confirming to everyone what the initials PC really stand for. In the meantime, it subsists on language doctoring to appease the requirements of Section 15 in the few pieces of federal legislation that it proposes to amend with this Bill. The present Government's treatment of the obligations imposed upon it by this Charter, particularly the equality provisions, show too clearly its timidity and its inability to face the hard facts of political life.

The Liberal Government set in motion an audit of federal statutes almost two years ago. Its purpose was to determine whether those statutes contained provisions that would be discriminatory, that is, whether the distinctions were made in legislation for irrelevant or capricious reasons or whether the legislation contained valid distinctions that would not amount to a denial of the equality rights and thereby create unexpected and unlawful discrimination practices.

[Translation]

I am well aware that a complete review of all the federal statutes is a monstrous task. I am also aware of the complexity of the decisions required to determine whether this or that order includes a denial of the rights to equality, or, to go even further, a recognition of these rights.

[English]

For example, a straightforward statute audit would probably be inadequate to examine equality issues in areas such as criminal law, the legislative treatment of reproductive capacity, pensions, and the position of Indian women, but even here the Government did not respect its own constituency or intentions. Here something more than a statute audit is needed.