

*The Constitution**[Translation]*

Mr. Speaker, all Canadians went through a very traumatic period last spring when the forces of federalism regrouped to fight against those who would divide us and to reaffirm the national will. We also recall that the provincial premiers each in turn visited Quebec to tell Quebecers that their future is more secure within Canada. All provincial premiers and the Right Hon. Prime Minister of Canada made a commitment to renew federalism through a genuinely Canadian constitution. That is a promise we are about to honour.

This resolution will enable Canada to discard an archaic and steeped-in-colonialism process with a view to amending its constitution. As a result Quebec will be protected by a right of veto in the amending formula against any encroachment upon its rights as a people made unique by their language and their culture. I will point out that the Progressive Conservatives who pose as the champions of Quebec would take that protection away from this unique province—

[English]

—As well, the west, the maritimes and Ontario will be able to block any intrusion seen as not in its best interests through the use of a veto. When the population of the provinces in the west, of British Columbia or Alberta, is great enough, they will have the same power.

Mr. Taylor: Under that Constitution, we would still be in the same position. There is a veto power on everything. You had better read the Constitution.

Mr. Chénier: The integrity of each region is protected by this resolution, and one must admit it would only be the most bizarre and unusual circumstance in which the jurisdiction of the provinces might be threatened by the provisions in this Constitution.

The proposed amending formula would ensure that in the future no central government would be permitted to intrude in areas of provincial jurisdiction. Moreover, should there arise a matter of compelling national interest which may affect the provinces, a referendum obliging a double majority vote would ensure that no central government could act without the proper sanction of the people of Canada.

● (2050)

As for equalization, I am sure all hon. members agree that Canada is a nation built on sharing among individuals and among the so-called have and have-not provinces. This Constitution will ensure that this tradition remains.

The provision of mobility right guarantees is again at the core of the concept of Canada as a nation of diverse regions but of people of kindred spirits. Canada was built by Canadians able to travel throughout the country to seek work. I think of northern Ontario where people from all over the land came to seek work in the mines or forests. What kind of Canada would it have been if workers from the maritimes or Quebec had been turned away because they were not residents of Ontario? I find it troubling that the European Common

Market has fewer barriers to the mobility of workers than there are in Canada. Surely we must protect the right to live and work anywhere in Canada before this principle is further eroded.

Mr. Taylor: We have it right now.

Mr. Chénier: It is sad to hear the hon. member say we have it right now because it does not exist in all provinces.

I come now to the charter of rights and freedoms. I have no hesitation in stating that this Parliament, through the efforts of all parties, has succeeded in producing a statement of rights and freedoms unmatched by any in the world. The charter reflects the values and duties of a modern society which recognizes the essential dignity and equality of all human beings. It is a charter that is far more just symbolic because the protections extended will indeed require action by the legislatures and courts in order to catch up with the principles Canadians share. This charter has the dual purpose of correcting long-standing injustices as well as establishing new standards for our treatment of special groups of Canadians, such as the handicapped and disabled whose situation has been articulated publicly only in recent years.

This charter puts our rights as citizens and human beings beyond the reach of any future capricious government, be it federal or provincial. That is important because we know that statutes or rights, such as the federal or provincial bills of rights, are not immune to legislative action and have been overridden in numerous cases. Clearly if we mean business in the matter of rights and freedoms we must state so unequivocally.

In addition, this charter would ensure that the protection of basic rights applies uniformly right across Canada.

Mr. Blenkarn: Like property rights.

Mr. Chénier: I really cannot understand why some provinces would want the right to tamper with what is probably the next best thing to an ideal statement of rights. What other reason is there than to reserve for the provincial legislatures the power to invade those rights at some time in the future? If changes need to be made to this charter, the amending formula will provide the instrument to make those changes, and they will apply to all Canadians.

I am sure that once the dust has settled and the wrangling over procedure we have experienced here has been put behind us, the entrenchment of this charter of rights in our own Canadian Constitution will stand as a magnificent achievement by Canadians. This charter was indeed created by Canadians, including the people on the joint committee and the hundreds of groups and individuals who submitted evidence. To say that the British Parliament will be imposing measures on Canadians is clearly one of the sillier arguments of the opposition, and they have some really silly ones.

I must say that while I am very proud that we are to have such a charter of rights, I am somewhat disturbed that the generous feelings in this document have not been met in other