

There is nothing which encourages them to infringe those rights.

● (1640)

What we have here is a safety net, an added protection, so that in case provincial legislatures or the federal government do not respect those rights, there is a recourse to the courts. An entrenched charter of rights makes assurance for Canadians doubly sure. I am sure Canadians want that kind of protection. If one were to ask the people of Nova Scotia whether they would like to have their rights protected by the majority government headed by Mr. Buchanan or by the courts, they would say, the courts. If one were to ask Quebecers whether they would like to have their natural rights protected by the Parti Québécois led by Mr. Lévesque or by the courts, they would say, the courts. If one were to ask the people of Ontario whether they wanted their basic rights protected by Mr. Davis and the Conservative government or by the courts, they would say, the courts. If one were to ask the people of Manitoba whether they would want their rights protected by Mr. Lyon and his majority or by the courts, they would say, the courts. And if one were to ask the people of Canada whether they wanted their basic rights protected by our Prime Minister (Mr. Trudeau) and his Liberal government or by the courts, they would say, the courts.

This concept of rights is something that does not flow from government. It cannot and should not be created by some contract or some deal between the provincial and national governments. This concept of rights is basic and reflects the idea that we have of Canada. Those rights are the common heritage of Canadian citizenship and they should be binding, regardless of the government's view, because they fulfil and express the common promise to all Canadians, wherever they may live in this country, that we shall have a country which provides rights, opportunities, equality of status and respect for the individual and the dignity of our citizens.

We are now entering the last phase of a long and earnest debate. Its conclusion will mark one further great step along that path which George Brown charted 116 years ago and which I cited at the beginning of my remarks. It is a great step, an historic one, and all those many members who have taken part in the committee's debates, those who have supported as well as those who have opposed, will have settled into a niche in our history. It is a great step in the continuing task of nation building, the building of a still new nation, the building of one united nation. We now have a unique opportunity to move forward. We have, too, the possibility of failure and the fundamental shock that would bring to our society.

I urge the House, as the only body which truly represents all Canadian citizens, to accept this resolution, imperfect as it may be in this or that detail, but on the whole, an imaginative and fair response to the challenges of our country. We have the opportunity to build and maintain the most civilized society in the world, civilized in our federal system of government, civilized in our tolerance and respect for the inalienable rights of humanity. Our past, the record of our federation, is a

### *The Constitution*

proud chapter in the life of our country. The best is yet to be. Let us go forward together on this surer foundation, this new Constitution, for the hoped-for country we all wish to build.

**Some hon. Members:** Hear, hear!

**Hon. David Crombie (Rosedale):** Mr. Speaker, first of all, I should like to express my appreciation for the opportunity to speak again on this matter. I have spoken three times in this House on the matter; in the fall before the matter was referred to the special joint committee and, of course, I have spent the last four months on that committee and have had the opportunity to address myself daily to the 59 sections contained in the government's resolution.

My colleague, the hon. member for Provencher (Mr. Epp), expressed, at the outset of his remarks yesterday, our appreciation of the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) who did such an outstanding job as co-chairman of that committee. I think every member of that committee should also thank the House and the respective authorities for the opportunity to participate, primarily because this has been an experience—I cannot recall having had any other such experience in public life and certainly not in my two and a half years as a member of the House—which has broadened our minds, taught us to listen to what people in other parts of the country have to say and directed our reading so we could understand a little better how this country functions.

I am one of those who recognizes, as I am sure all members of the House do, that the most important things which affect our constituents on a day to day basis are matters more immediate to the individual concerned, such as inflation, jobs, etc. Therefore I know there is a great number of my constituents who wonder why we spend so much time on the Constitution. I have never been backward about responding to that query because the Constitution is fundamentally what Canadians are all about. It tells us what are our values, our interests and our beliefs. It determines what our relationships with one another as individuals are and what the relationship between individuals and the government is. That is why I thought I might take this opportunity to look briefly at some of our history. I will try not to touch on the points raised yesterday by my colleague, the hon. member for Provencher. I will try not to touch on the points I have raised in my three previous interventions in the House.

I am glad to see the Minister of Justice (Mr. Chrétien) is here now because I can offer him my congratulations. I think it is important we recognize that when countries make their constitution, they do not think of it as being drawn up for lawyers. The Constitution is not something that comes from the sky. The Constitution comes from us, who we are and where we have been. My old friend and colleague, Marshall McLuhan, said that all of us go through life as if we were driving a car and looking through a rear view mirror. That is not a bad analogy. Perhaps that is what we should do when it comes to the Constitution, because while we are going down the road to the bright new future to which my friend, the hon. member for St. Paul's (Mr. Roberts), wants to take us, it is