

**Senator Buckwold:** You have nothing left to concede!

**Senator Murray:** I do not want to get my honourable friend's hopes up about the "notwithstanding" clause; it will be there for some time to come. The First Ministers have agreed on a number of other matters, including Senate reform, that should be at the top of the constitutional agenda for the second round of discussions.

## AGRICULTURE

### WESTERN GRAIN STABILIZATION PROGRAM—FINAL PAYMENT

**Hon. Hazen Argue:** Honourable senators, I should like to ask a question of the Leader of the Government in the Senate. The first payment under the Western Grain Stabilization Program was announced some months ago. I realize that it is fairly late in the year for the final announcement, but can the minister make inquiries as to when this announcement may be made? People are waiting for the announcement and are waiting for their money.

**Hon. Lowell Murray (Leader of the Government, Minister of State for Federal-Provincial Relations and Acting Minister of Communications):** Honourable senators, I shall do so.

## THE CONSTITUTION

### INCLUSION OR EXCLUSION OF QUEBEC

**Hon. Royce Frith (Deputy Leader of the Opposition):** Honourable senators, may I ask a question of the Leader of the Government with regard to the phrase "in and out of the Constitution"? This phrase—namely, that Quebec is out of the Constitution, or that Quebec has to be brought back into the Constitution—has been used very frequently by the government in justification of the Meech Lake Accord. Quebec at least paid a short visit back into the Constitution to invoke the "notwithstanding" clause, which is part of the Constitution it says it was left out of, did it not?

**Hon. Lowell Murray (Leader of the Government, Minister of State for Federal-Provincial Relations and Acting Minister of Communications):** Honourable senators, the exclusion of Quebec in 1982 had a number of immediate effects. One was the routine invocation of the "notwithstanding" clause by two governments of Quebec up until, I believe it was, the month of March 1987. In other words, the Quebec government did not accept the legitimacy of the Canadian Charter of Rights and Freedoms and routinely exempted the laws of that assembly from the operation of the Canadian Charter of Rights and Freedoms.

**Senator Frith:** By using the Constitution to do it.

**Senator Murray:** In fact, the previous Parti Québécois government had proposed a return to negotiations under certain conditions, one of which was the exemption of Quebec from most of the provisions of the Canadian Charter of Rights and Freedoms. The second effect that the exclusion of Quebec from the Charter in 1982 had on our country was that Quebec

[Senator Murray.]

refused to take part in any further constitutional amendments until its own acceptance of the Constitution had been negotiated. The result was that in a series of First Ministers' constitutional conferences on aboriginal constitutional rights it was that much more difficult to achieve agreement because of the absence of one of the major players in Confederation.

**Senator Frith:** Flim-flam!

**Hon. Paul Lucier:** Honourable senators, I have a question of clarification for the minister. The minister continues to use the phrase "the exclusion of Quebec". I do not know whether I understand this properly, but I did not know that there was ever an exclusion of Quebec. I thought that Quebec had decided not to participate. I have never thought that Quebec was excluded, unlike the people of the north who were excluded from the Meech Lake Accord. We were told that we could not be included. I wonder whether the minister is making a distinction, if there is one, or whether I am just misunderstanding something.

**Senator Murray:** There was a very important long night when Quebec was not invited or present.

**Senator Bosa:** In the kitchen!

**Senator Lucier:** I think they were invited, but they chose not to come!

### MEECH LAKE ACCORD—CONSIDERATION OF "NOTWITHSTANDING" CLAUSE IN CHARTER OF RIGHTS—IMPORTANCE OF CLAUSE TO QUEBEC—DIVERGENCE OF OPINION BETWEEN PRIME MINISTER AND SECRETARY OF STATE

**Hon. Dalia Wood:** Honourable senators, my question is to the Leader of the Government in the Senate. As I understand it, he has just said that the "notwithstanding" clause is going to be with us for some time and that it probably will not be changed. How will the government cope with the divergence of opinion between the Prime Minister and the Secretary of State, Mr. Bouchard, who says that the "notwithstanding" clause is essential for the survival of Quebec values?

**Hon. Lowell Murray (Leader of the Government, Minister of State for Federal-Provincial Relations and Acting Minister of Communications):** Honourable senators, the difference is largely in the mind of my honourable friend. It is not hard to see that so long as Quebec has not accepted the Constitution, has not returned to the constitutional fold, the constitutional family, the "notwithstanding" clause is a very important safeguard for that province.

## OFFICIAL LANGUAGES

### ALLOCATION OF MONEYS IN QUEBEC—PROVISION OF SOCIAL SERVICES

**Hon. Dalia Wood:** Since the Secretary of State presently has complete control over the moneys going into Quebec for bilingualism, if the Government of Quebec states, as it did on the weekend, that Montreal, for instance, will never be a