

*The Constitution*

me a number of valuable lessons, some of which I would like to talk about at this point. First, there exists a vast array of public groups who feel that their fundamental rights and freedoms have not always been protected by our present Constitution and that the Constitution needs to be amended in order to provide us with a charter of rights and freedoms. The groups ranged all the way from natives to Japanese Canadians, to the handicapped, women's groups and civil libertarians, to name only a few. Many of these people, and more, demand an entrenched charter, and they are opposed to waiting for one any longer. The hooker, though, is that a constitutional amendment is required to add such a charter to our Constitution. Unhappily, as everyone knows by now, the provinces will not agree on an amending formula and they have not been able to agree for over 50 years.

So here is our constitutional Catch-22—no provincial agreement, no amending formula; no amending formula, no charter; no charter, no unified protection of rights allowed to Canadians right across our nation.

For those who complain about the proposed amending formula giving regions unwarranted veto powers, what we now have, and have had, is a practice through federal-provincial conferences which permits every province, large or small, to have a veto—and that has been our problem. I believe those in the Conservative Party who counsel us to bring the BNA Act home as is and add a charter later with the help of the provinces are either mischievous, naive or stupid. The most effective way to deny Canadians a charter for another 50 years is to take that advice.

The second point which can perhaps be dealt with in fewer words but which is no less important, is that from some of the items we have read and heard, such as "Canadians should not be asking the British to amend our Constitution" and "Let us build our Constitution here", one would almost conclude that this whole debate is taking place thousands of miles away in far-off and mythical Albion. Before Christmas I asked myself, "Where am I?" I answered, "In Room 200." Then I asked myself, "Where is Room 200?" I answered, "On Parliament Hill." I said, "Well, where is Parliament Hill?" I answered, "In Canada." "What are we doing here?", I asked myself. I answered, "We are building a Constitution." Now again today I pinch myself and ask myself, "Where am I?"

**Some hon. Members:** In the House of Commons.

**Mr. Rose:** Where is the House of Commons?

**Some hon. Members:** On Parliament Hill.

**Mr. Rose:** Where is Parliament Hill?

**Some hon. Members:** In Canada.

**Mr. Rose:** What are we doing here?

**Some hon. Members:** We are building a Constitution.

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

**Mr. Rose:** So we are all engaged here in the very important work of building a Constitution by Canadians in Canada. There is no doubt about that.

Let us hear what former prime minister John G. Diefenbaker had to say with regard to Britain's role in constitutional amendments. I quote from Volume II of his book "One Canada":

There are those who argue that the British North America Act and its amendments are a foreign piece of legislation. Nothing of the kind! All the terms of the BNA Act were determined in Canada by Canadians at one or other of the two conferences held in Charlottetown and Quebec. This was a statute of the British Parliament in 1867 because it involved a union of the British North American colonies. Its subsequent amendments were all made in Canada by Canadians, then perfunctorily passed by the Parliament at Westminster; British statesmen would be pleased if they could rid themselves of this obsolete responsibility.

When we have completed our work here I say: Let us help the British rid themselves of this "obsolete responsibility" by going to Britain one last time. The British government will pass this package and send it home unaltered—and no alliance of fox-hunting Tory peers and their colonial sycophants are going to stop us.

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

**Mr. Rose:** Emerging from both the first point concerning the intransigence of the premiers and the second point about the fact that Canadian MPs have spent months working on our new Constitution is another important point. It is one which concerns the shift away from the Prime Minister (Mr. Trudeau) and the provincial premiers as exclusive players in the constitutional drama to a widened stage including, for the first time since I have been active in politics, MPs and senators as crucial players.

As a member of Parliament I would like to say that I have grown both angry and impatient at watching endless federal-provincial conferences from the sidelines. Premiers have no cause, nor right, to claim that they, simply because they are premiers, represent the views of people or areas in some more superior, genuine or authoritative way than I or my colleagues do in the House of Commons.

I would like to quote the distinguished House leader of the opposition on this very point, as reported in "Parliamentary Government on the Subject of Proportional Representation as it Relates to Parliamentary Reform." The hon. member for Nepean-Carleton (Mr. Baker) had this to say regarding the appropriateness of an MP to speak for the area he represents:

People pushing for proportional representation seem to be saying that an MP in an opposition party is not an appropriate spokesman for his province—whereas of course he is. I feel that we ought to put more emphasis on the abilities of MPs to speak for their areas, whether they sit on the government or the opposition side, and proportional representation simply does not address that problem.

The point here is not to debate the merits or disadvantages of proportional representation, but, more important, to debate the right and duty of an MP to appropriately represent a particular region. Therefore, I am pleased to have the support of the distinguished Conservative House leader when I assert that I, as the member for Mission-Port Moody, have not only