

the hon. member for Burin-St. George's (Mr. Simmons) resigned to run for this House.

I welcome the opportunity to participate and, hopefully, make a contribution to this debate. It has been described, and I suppose will continue to be described, as an historic debate. Whether it is historic will, of course, depend upon the government.

Along with other hon. members I followed with great interest the developments of the past summer. I was fascinated when hardly a week went by without some news from some major metropolitan centre in Canada regarding Canada's constitution. This, of course, was a part of the government's strategy. I do not fault them on that. They wanted maximum exposure. Indeed, in certain circumstances that is commendable.

They had the committee of ministers, federal and provincial, meet in various cities across the country to try to pave the way for a consensus in preparation for the first ministers' meeting that was to take place in September. All they succeeded in doing, unfortunately, was to agree on a preamble. There were some significant compromises made. Indeed, there were indications of that during the course of the first ministers' meeting. Of course that series of meetings was supported by a government advertising campaign to which reference was made in the House today.

All of it was very carefully orchestrated to prepare the Canadian people for the unilateral action that the government now proposes by the measure before the House. That unilateral action was supported by an advertising campaign and a series of meetings which anticipated the failure of the first ministers to reach an agreement.

I listened with great interest to the speech of my learned friend, the Minister of Justice (Mr. Chrétien), for whom I have great respect and whom I look upon as a friend. I listened carefully because I was hoping to find within his remarks some hint that the government may be open to meaningful suggestions to change the course of action they set out. I listened because I felt very strongly in my own heart, as I feel today, that if the government is not prepared to be flexible, if it insists on digging in on this measure, on such a fundamental thing as the renewed patriation of our constitution, that will have the unfortunate, regrettable and perhaps even disastrous effect of dividing this country at a time when there is a mood abroad in the country, an element of consensus for meaningful constitutional renewal.

We have come a long way. We now agree there is a consensus on patriation. There is no question about that at all. Whether we patriate with entrenchment is the question. As a Canadian and a member of this House, I would find it repugnant to have such a basic thing as Canadian rights and fundamental freedoms, linguistic rights and the principle of equalization become the subject of a legislative measure of a foreign parliament. My view is that we should agree, and I believe there is agreement that we should patriate and the only body capable of dealing with entrenchment of anything,

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whether it is human rights, linguistic rights or the principle of equalization, is the Parliament of Canada and the legislative assemblies of the provinces.

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

• (1610)

**Mr. McGrath:** Why is the Prime Minister (Mr. Trudeau) afraid to entrust to this Parliament of the land, which passed the Bill of Rights brought in here by the late distinguished right hon. member for Prince Albert, the responsibility for dealing with those questions which are within its domain under the existing constitution? Why would this government be afraid to entrust to the legislatures of the land the right to deal with those things which are within their domain under the existing constitution? Those are the questions, sir.

As my leader said so eloquently in his speech during this debate, what the government proposes by this measure is not only to patriate the constitution with human rights and linguistic rights entrenched, but to change fundamentally Canadian federalism in such a way as to give the federal government, in terms of constitutional powers, powers that have no place in a federal system. In other words, the government would be assuming for itself, if it has its way, powers which are normally identified with a unitary state. That, of course, fits in very nicely with proposed section 42 which provides the constitutional means, if the government has its way, whereby the government can bypass Parliament and the legislatures of the country and go directly to the people.

There are times in a parliamentary democracy when a referendum or a plebiscite has its place. I can think of, for example, the question of compulsory military service, to name just one. But to make that an instrument of the constitution would, as my leader has said, and as others are now saying, fundamentally change the whole system of federalism in this country in such a way as to destroy ultimately the federal nature of the country and, consequently, could have the effect of destroying the country itself.

I say that as one who has always been supportive of a strong federal government, coming as I do from one of the so-called have-not provinces. Indeed, the last time we had a chance to debate the constitution in this House I expressed the fear that the provinces, if they had their way in terms of the additional powers they were seeking, could seriously undermine the ability of the central or federal government to carry out the national will and to protect the national interest. I believe in that principle very strongly. I now express the same fear in respect of the federal government, because if the Government of Canada has its way it could, as I have said, fundamentally change the structure of federalism in the country, which could have the effect of ultimately destroying the country as we know it.

We have come a long way in the past few years. Indeed, we have arrived happily at a point in time when there are very few in this country who would not accept the protection of linguistic rights in the constitution. Indeed, I recall as a member of this House the passage of the Official Languages Act. I recall