

*The Constitution*

resolution while 30 groups and 197 individuals disapproved of the action now being taken by this government.

Support for the government's resolution has continually eroded from the time it was first introduced last October. It is because of the awesome nature of our task that history will look kindly upon the decision of the Leader of the Official Opposition (Mr. Clark) who, from the outset, proposed to support the creation of a new made-in-Canada Constitution and to oppose the notion of arbitrary and unilateral action by a majority federal government.

One of the things that has disturbed me since coming to this House is the reckless regard we have for truth and credibility. Too often we have been told the end justifies the means and it disturbs me, as it does the people of Canada, that this government is promoting a constitutional package in its main resolution with little explanation as to need, substance and content.

Speech after speech is given in glowing terms as each refers to a charter of rights—but not particularly this one. At last, they point out, we will be free of that last vestige of colonialism, but there is little reference to the amending formula proposed. Patriation has become the government's method, but alteration is its goal. In this resolution, Canadians would be given the patriation they have indicated they desire, but they will also be given a proposal that breaks the equilibrium maintained by our two levels of government until now, one in which they have functioned in a complementary fashion, which is the very essence of a federal regime.

Let me refer to Table II of Appendix D to the report before us. The numbers are small, limited as they were by the time frame imposed, but the percentages are significant. Recognizing that there is almost universal acceptance of patriation, only 23 groups and 42 individuals making submissions to the special joint committee approved the government's action of unilateral patriation with changes, while 33 groups and 92 individuals opposed such action—almost two to one. Is this responsive or even responsible government?

On the opening day of this debate the Minister of Justice (Mr. Chrétien) remarked, and I quote:

Canadians will take pride in the results of the substance of our work.

Another quote, given on February 25 last:

With all my heart I want to believe that—but I don't. The wounds have been too deep.

These are not my words, though I believe them. They are the words of a former NDP leader in the province of Ontario, Mr. Stephen Lewis. We have been told over and over again we have had 53 or 54 years of failure. That sounds like more of the distorted political advertising of this government. Slough off the success story of those years, the great gains in social living made by our people through agreement and compromise, and forget that in 1931 it was the lack of an amending formula that halted the complete establishment of our sovereignty. It is worth keeping in mind that for the last 13 years the chairman of those federal-provincial conferences, the one person who has participated in each of them, has been our own Prime Minister. If there was failure, who must share, perhaps to the

greatest degree, responsibility for that failure? Who had the greatest opportunity to make it work, if he wanted to do so? Process, particularly if that process has to do with the amending formula, if it has to do with making changes in the Constitution of tomorrow, is even more important than substance, as was shown in 1931. The way in which change is to be brought about is the very essence of the opposition to this proposal. The necessity of an acceptable amending formula was in the past and, I submit, is now the most critical subject we have to consider in this constitutional reform. Process cannot be set aside slightly. The amending process is our protection for the future. Process, in this instance, is substance.

I listened to the Minister of State for Science and Technology (Mr. Roberts) quote George Brown as he commented 116 years ago on how he prepared to gather these countries together—"countries" was his word for colonies—into one organized government. What the hon. Minister of State for Science and Technology omitted to do was to point out that that plan of government clearly and specifically set out the federal and provincial jurisdictions. George Brown went on to emphasize, and I quote:

And we take especial credit to ourselves that the system we have devised, while admirably adapted to our present situation, is capable of gradual and efficient expansion in future years to meet all the great purposes contemplated by our scheme.

The process of amendment as proposed does and can alter substantially the fundamental nature of federalism in this country.

I am not going to deal at length with the number of amending formulae presented to this House, but let me emphasize again that we on this side of the House say that any amending formula written into the Constitution must have two distinct characteristics. First, it must be fair and equitable to all people in all provinces; second, it should reflect the federal nature of Canada.

● (1610)

It is clear that a patriated Constitution must contain an amending formula. This is why a simple amendment to the Statute of Westminster will not suffice. We on this side of the House take the position that the essence of an amending formula is consensus and that the consensus should be the widest one possible. We offered the Vancouver formula as one having that kind of support, but it was rejected by the government in favour of the Victoria formula.

If one listens to government supporters, one would think that the result of the Vancouver consensus would be something new—a more divided country than ever before. They talk of a crazy quilt and a checkerboard; then they talk about opting out. Diversity is in our make-up; it is nothing new. It has been present since 1867 and even before that. It started with the British North America Act, with linguistic rights and the retention of the civil code for people in the province of Quebec. That special consideration of diversity continues today.

Various provinces entered confederation under different provisions. As we developed our social service programs, these