

The Constitution

with an understanding that certain guidelines would be maintained and certain situations would continue. If the government is going to tear those things away, destroy them and say we are not going to get them, that it will not be held accountable and responsible for what was said in the terms of union, British Columbia will feel very angry about it. No one in their right senses could question why.

I appreciate the fact that I only have another one or two moments. I just want to emphasize once again the unfairness of the whole situation. This package which we are faced with today is a hopeless package. It is a miserable mess. Members opposite ask why then are we trying to improve it. As I said before, it is unlikely that it will ever pass, but if it happens to pass, we want it to be improved so that it will be less despicable and dishonourable than it is at the present time. That is why we are moving amendments. We trust the government will accept the amendments moved by this party and do something to at least solve the problem, heal the breach and make western Canada feel that somehow they are receiving co-operation, that they will at least be listened to and, hopefully, there will be some redress to the problems and injustices they have been facing over the last many years.

● (2120)

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, it is a great pleasure for me to be given this opportunity to take part in this historic debate on these important amendments. The constitutional question as it has evolved since last June has taught Canadians a great deal about their country. In the last year Canadians have come to know the difficulties of being governed in a country as geographically, culturally, politically and economically diverse as ours. The experience Canadians have shared this past year has proven that consensus and compromise is difficult to achieve within our national setting.

However, we have succeeded in reaching consensus and approval on many fronts. Opinion polls published over the last few months, and especially yesterday, have revealed that Canadians approve of what we are doing.

Some hon. Members: Hear, hear!

Mr. Bockstael: The premiers of Ontario and New Brunswick agree with us as did a majority of the groups and individuals who appeared before the special joint committee. The federal New Democratic Party has supported our resolution. The provincial courts in Manitoba and Quebec have rendered a decision to the effect that what we were doing was in fact constitutionally binding.

Some hon. Members: Hear, hear!

Mr. Bockstael: Eight premiers have disagreed with our actions. The Premier of Manitoba has steadfastly opposed the entrenchment of a charter of rights. The Premier of Quebec has said he would not agree with the entrenchment of minority rights. In spite of Premier Lévesque's and Premier Lyon's

partnership stand, latest reports indicate that some premiers now see the wisdom of accepting the charter of rights.

It is rather ironic that at the time of the referendum in Quebec last May, several provincial premiers openly opposed Premier Lévesque in his attempt to break up this country. These same premiers have today aligned themselves with the Premier of Quebec in opposing the entrenchment of a charter of rights and freedoms for Canadians, a charter which is fundamental to national unity.

Premier Lyon of Manitoba has, over the last few months, been the chief spokesman for all the dissenting premiers who have advocated an opting out approach to confederation, which to me is no different than Premier Lévesque's unswerving drive toward sovereignty-association.

A poll conducted by the Canada West Foundation revealed that Manitobans by a wide majority are in favour of a bill of rights. In fact, 73 per cent of those surveyed indicated they were in support of this federal initiative. I am a Manitoban and I want a charter of rights and freedoms. The hon. member for Provencher (Mr. Epp) is also a Manitoban and he as well is on record as favouring a charter of rights and freedoms. Premier Sterling Lyon of Manitoba has said time and time again that he would never accept a charter of rights and freedoms. It is evident that Premier Lyon does not speak for me, he does not speak for the member for Provencher, and he does not speak for the interests of the majority of Manitobans who want a charter of rights and freedoms entrenched in the Constitution.

Some hon. Members: Hear, hear!

Mr. Bockstael: In 1949, the noted constitutional expert, Frank R. Scott, wrote:

There is no freedom save under a system of laws safeguarded by a Constitution, and the prime function of governments under a democracy, while keeping themselves within their constitutional framework, is to protect and advance the fundamental freedoms and human rights of every individual by all legislative measures that seem appropriate.

Professor Scott also had the following to say about the federal government's responsibility in assuring these rights and freedoms for Canadian citizens:

Under our system of government the responsibility for national decisions on matters of policy rests on Parliament and on the cabinet which is answerable to Parliament. If a program in defence of fundamental freedoms is to be undertaken then Parliament must make the decision.

The proposed Canada Act will provide all Canadians once and for all their fundamental freedoms, their democratic rights, mobility rights and equal rights for the handicapped, among others. The amendments being proposed by the New Democratic Party will assure equal rights for both men and women and will give to our native population the assurance that their aboriginal rights will only be amended under the prescribed rules of the Constitution.

As a member of the special joint committee on the Constitution I can give a first-hand account of the events which took place from November to February 13. I would like to relate that on January 30 the Minister of Justice (Mr. Chrétien)