

The Constitution

and who have discussed this important issue with their friends and neighbours. Hundreds more Canadians have participated directly in the committee process, making significant contributions to the final package we have before us.

We can point to the experience of the committee and claim that the parliamentary system of government works well for and with Canadians. Representing groups of Canadians from across Canada and Canadian society, witnesses before the committee found that body receptive to their feelings, resulting in certain changes to the resolution. Most notable among these are the strengthened aboriginal rights. Of the 72 total interventions by groups or individuals, fully 69 of these approved of the ultimate formula we have before us. Forty-one of the 54 interventions were in favour of entrenching minority language education rights in a Constitution, a principle favoured by all provincial premiers as recently as 1978. No one appearing before the committee disagreed substantially with the final form of legal rights.

Much of the credit for the fine work of the committee is due to its joint chairmen, and I would like to join my colleagues in offering my congratulations to the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) and to Senator Hays. Under unprecedented media scrutiny they performed magnificently, due in large part to the excellent spirit of co-operation among the committee members. Fifty-one members of the other place took part in the work of the committee, joining 132 members of the House of commons who participated in the committee's deliberations at one time or another.

● (1550)

Before going further, I would like to take this opportunity to dismiss a notion being stated by some members of the Conservative Party. Specifically, they charge that requesting action on this resolution from the parliament at Westminster is an act of colonialism. The Conservatives, while favouring a charter of rights, want this charter enacted in Canada. Frankly, that is exactly what is happening, and I am certain that some members opposite know full well that charges of colonialism are absurd. In addition to the almost 300 witnesses who appeared on behalf of more than 100 groups in Canada, a total of 35 pages were appended to the joint committee's report to Parliament, listing the hundreds of written submissions received by the committee.

The substantive amendments, the unprecedented participation of 183 parliamentarians in the work of the committee, and the appearances and intense lobbying by groups and individuals from across Canada, demonstrate clearly that this resolution is a Canadian document, made by Canadians, in Canada, for Canadians. It represents the will of the Canadian people.

As the hon. member for Provencher (Mr. Epp) told the joint committee:

It is the popular will that we have a charter of rights and freedoms for the Canadian people, embedded in a constitution.

As members of the Parliament of Canada, we should be cognizant of the fact that it is here, in this Parliament, that the will of the Canadian people is expressed. By passing this

resolution, we are proclaiming, once and for all, that it is the people who are sovereign, their rights supreme and unchallenged.

So long as most of the provincial governments are willing to hold the rights and dignity of the Canadian people hostage in exchange for greater provincial powers, these rights will continue to be considered secondary. Some provinces argue that discussions on a charter of rights should take place at the same time as talks on resource ownership or communications jurisdiction.

Hon. members know full well that to proceed in this fashion would effectively hold back the charter of rights forever. The two senior premiers in the federation have stated that unanimous, or even near-unanimous, agreement is impossible in a world of competing political ideas. That is why Premiers Hatfield and Davis, both Conservatives, support the position of the federal government in this debate. They speak from the experiences gained in frustrating talks dating back to 1971, when a glimmer of hope was seen at Victoria. They know, as I do, that since 1927 13 first ministers' conferences, 17 conferences of federal-provincial ministers, and countless meetings of officials have failed to reach agreement on patriation and an amending formula.

Surely, as a Parliament accountable to all the Canadian people, we have a responsibility to seize the political will to end this deadlock once and for all. To persist in holding the charter of rights for ransom, as is the case now, would be to tell the Canadian people that their rights are secondary to communications jurisdiction, or to a reformed Senate.

Some argue that unanimity should be the formula for constitutional change, knowing that it is a formula for failure. What sort of unanimous agreement can we expect if Premier Lyon continues to oppose a charter of rights in a new Constitution? What kind of unanimity can we hope for if Premier Peckford blocks a charter of rights until there is agreement on control of offshore resources? Will we continue to tell the Canadian people that their right to hold and express beliefs is only as important as the number of cod caught on the continental shelf?

What, exactly, did Premier Peckford say about a charter of rights? In a document placed before the first ministers last September entitled "Towards the Twenty-First Century—Together", the Premier of Newfoundland stated, and I quote:

The people of Canada—as elsewhere—live in an age of continuing, almost radical change. Today there is not the same surety as yesterday that values enshrined in the heart and conscience of a people will be universally respected.

The entrenchment of democratic rights and fundamental freedoms is a means of giving explicit constitutional recognition to values which have served Canada well... Newfoundland, therefore, supports a charter of rights which will entrench the democratic rights and freedoms of Canadians.

To those who argue that legislatures should be supreme in determining and protecting the rights and freedoms of Canadians, I ask: Where were those rights and freedoms protected when we stripped citizens of their rights merely because they were of Japanese origin? Tell the Jehovah's Witnesses about the kind of protection given them by Premier Duplessis and his