

Human Rights

In reply to that statement, the Prime Minister is trying to reassure us, but his assurances must be taken with caution, in view of the following paragraph which I quote from a speech delivered by the Prime Minister on May 16, 1947, as recorded on page 3145 of *Hansard*. Here is that extraordinary statement which casts a dark shadow on the possible scope, application and interpretation of a bill of rights coming within the exclusive jurisdiction of the federal government.

(Text):

I am going to read very slowly in order that every hon. member may feel the impact of this extraordinary statement by the Prime Minister on May 16, 1947:

Whether the federal authority has the power or not to pass legislation respecting civil liberties, its passage would strengthen the hand of the Minister of Justice in the matter of the disallowance of any statute which would deny freedom anywhere in our country.

(Translation):

What comments can we make upon that statement of the Prime Minister's, a statement which is, to say the least, rather extraordinary. I can think of at least three for the moment.

First, I would say this:

(Text):

Whether the federal authority has the power or not to pass legislation respecting civil liberties—

(Translation):

The Prime Minister himself has expressed doubt as to the constitutional validity of a bill of rights passed by the federal government alone.

Second, in this bill, the Prime Minister quite clearly reveals his hope of providing the Minister of Justice with a strong enough weapon to enable him to disallow any provincial statute, without exception, encroaching upon the freedom of any individual, even in the fields of property and civil rights, which everyone recognizes as coming exclusively under provincial jurisdiction.

Third, in his interpretation of this bill, the Prime Minister propounds the most strongly centralizing theory ever put forward in this house. Without further comment, I leave it to the Prime Minister to indicate whether in 1960, he still believes in the centralizing principles he so clearly outlined on May 16, 1947.

In the light of this incomplete bill that is being foisted upon the house, it is quite obvious that the provinces will immediately have to consider passing a bill of rights under their own jurisdiction, if only to protect themselves. Any legislature that treasures its civil liberties, its property law, will have

to pass a bill of rights in its own field, to protect itself against this statement made by the Prime Minister on May 16, 1947.

Where will such a situation lead to? Canada will have eleven bills of rights, and if we take the advice of the ministers of justice and of public works, we shall have posted in our schools, at the doors of our churches, in every public place, in every province, eleven bills different in nature, content and scope, and we shall have two bills wherever both the federal and the provincial jurisdictions are involved.

This, Mr. Speaker, is rather strange for a party that has been preaching national unity. In following this procedure, in forcing the provinces to pass their own bill of rights, I say this Bill C-79 will, in effect, be a factor of national disunity. And if ever an hon. member has attempted to explain our system of government to an immigrant arriving in Canada, a task which is not easy in any circumstances, imagine how much harder it will be to explain to this immigrant that we in Canada have 11 bills of rights, all different in legal content, and that in going from one province to another, one has the impression of moving into another country.

That, I think, is hardly the view people take of national unity. When the matter of citizenship came up, we placed in our statutes a citizenship act covering all of Canada, and I think it should be the same for this bill of rights. We could then, in co-operation with the provinces, pass a bill under which every Canadian citizen would enjoy undisputed privileges and rights throughout Canada.

To summarize, Mr. Speaker, we are offered, under the guise of lofty ideals, a bill that is narrow in scope, ineffective and subject to a dangerous interpretation.

On pondering the matter, it seems that we are still victims of a vision.

Mr. Speaker, in closing, may I say that there are many ways of protecting human rights and freedoms.

We, from Quebec, who so sorely needed a practical and efficient bill of rights, did not wait until July 1 to adopt one and—the Prime Minister will kindly excuse us—on June 22 last, the population of Quebec gave itself the finest bill of rights, the most practical and efficient one: a Liberal government.

Mr. Graftey: Would the hon. member now allow me to ask him a question?

Mr. Deschatelets: With pleasure.