

The Constitution

porting the measure which is before Parliament. These rights will be enjoyed by French-speaking Canadians in schools right across Canada. I say to the Premier of the province of Ontario that that is one important step, but before very long, if he has any sense of justice at all, he must do for all francophones in the province of Ontario what has long since been done for anglophones in the province of Quebec.

Some hon. Members: Hear, hear!

Mr. Broadbent: My colleagues are also pleased that in this charter we find protection for those of us coming from outside North America originally who are neither English-speaking nor French-speaking by ancestry; that is, the group we usually include in the term "the ethnic community", which makes up more than one-third of our population. It is indeed fitting for a federal state like Canada to note particularly the contribution that group has made to the history of our country and to have a section entrenched in our Constitution with particular reference to them.

I am also pleased at the inclusion of the handicapped, and I am pleased, as are my colleagues who have fought so hard in recent years in two major campaigns at the national level for women's rights, that at long last with this charter, and especially with the amendments which will be voted on later tonight, equality, at least in terms of the law and in terms of fundamental rights, will be provided for Canadian women. I say "at long last"; we still have a long way to go.

Some hon. Members: Hear, hear!

Mr. Broadbent: Finally, a particular group I want to mention is our native peoples. As is indeed true in the United States of America and in South America, we in this country have not been as generous to the original inhabitants of this country as have people outside this part of the planet to their original inhabitants. Let me put it more bluntly. We have all too often been cruel and indifferent and, indeed, at times murderous to the original inhabitants of this continent. At long last we will begin to redress a profound historical injustice by entrenching in the Constitution of Canada aboriginal and treaty rights.

Some hon. Members: Hear, hear!

Mr. Broadbent: In that connection I want to say that I am pleased that the government has decided to support an amendment tonight which will entrench those rights with the same degree of legal solidity, if that is a proper term, as all the other fundamental rights which will be entrenched in the Constitution.

I must say in passing that I was disappointed to hear the comment of the Leader of the Opposition (Mr. Clark) earlier today in giving such grudging acceptance to this notion. I want to say that it was members of my party—other colleagues in my caucus—and of the government party as well who worked very hard at the committee level and in private to obtain these rights, and there was no movement at all at that time in terms of determination by members of the official opposition. I

resent their condescending attitude toward the important step we will be taking in voting for the entrenchment of aboriginal rights later on tonight.

I must also say that the Leader of the Opposition was somewhat disappointing when he said that he would support our amendment as it affects the equality of women too "because it was, after all, the wording which was selected by the Conservative party".

Mr. Benjamin: Hogwash.

Mr. Broadbent: If the Leader of the Opposition wants to be completely honest, he knows very well that the Conservative party had wording in an amendment in the Senate which was not nearly as effective as this wording, and it was only after this wording in the proposed amendment became public that the Conservative party carefully extracted it from some newspaper and included it among their own amendments. It is one thing to get up and say they are going to support something, whether it is women's rights, native rights or any other basic matter; but then to pass off in a rather cynical way that the idea was really their own is something I find just a little hypocritical and out of place in a debate as serious as this.

Since I last spoke in this debate there have been two developments on which I want to comment. One was the premiers' conference. I say—and I mean it when I say it—that when the premiers of the eight provinces who opposed the position taken by the Government of Canada and by my caucus got together, I hoped they would come together in Ottawa and present us with an amending formula which was better than the one we had thought was workable. I thought it would be better for Canada if the premiers came up with a formula which we could incorporate as an amendment to this resolution. Because if they had done that, then indeed it would have been accurate to say that the new Constitution that we will have—and I am confident we will have it—was not simply the result of parliamentary action but the result of serious, constructive participation by a majority of the provinces.

● (1710)

The premiers met, Mr. Speaker. Not only did they not come up with a better amending formula; they did not come up with anything that approached the notion of a charter of rights in any sense. Therefore, they failed on two important counts, since the essence of the resolution which is before us is to provide us with an independent Canadian constitution with an amending formula for the future, on the one hand, and, on the other hand, provide a charter of rights. The premiers failed to achieve an amending formula. They presented one which would create a patchwork or a checkerboard, whatever term one wishes to use, in which women would have rights in one province but not in another, in which native people would have rights in one part of Canada and not another.

I want to go on record as saying that my party does not object to an amending formula which, in some cases, could include, by agreement, opting out of special, non-fundamental rights areas. But how can anyone who seriously believes in the