

and our freedoms would not be so well asserted. A nation grows old when it resists expansion. Our country perhaps has arrived at the age of puberty but I am now convinced that we are not far from adulthood and that we will be able to take up the great challenge passed onto us by former generations and anticipated by future generations of Canadians.

[English]

Mr. Les Benjamin (Regina West): Mr. Speaker, I am pleased to take part in the debate on the resolution to establish a Special Joint Committee of the Senate and the House of Commons to consider the total package the government wishes to send to Her Majesty the Queen.

Yesterday was international credit union day. I thank my colleagues in all parties for giving unanimous consent to my motion under Standing Order 43 earlier today which paid tribute to the credit union and *caisse populaire* movements in Canada and around the world. It is in that spirit and in accordance with the principles and philosophies of the co-operative movement, the major foundation of the political party to which I am happy to belong, I want to make my remarks on the resolution containing a joint address to Her Majesty the Queen regarding the Constitution of Canada.

Usually I am a hard-nosed partisan democratic socialist. Usually on social and economic issues I will argue, berate and condemn—and sometimes support—any of the actions, policies or ideas of my fellow Canadians who are Liberals or Conservatives whether in this chamber or anywhere else in the country. But this is not the time or the subject on which to do that. My comments apply to myself as well as to everyone in this place. Fingerpointing, personal attacks or extreme partisanship have no place in this particular debate. There must be an openness and willingness to consider positively the points of view, ideas and amendments submitted by any hon. member of this chamber or the committee, or when the committee reports back to the House.

There is a better way to conduct ourselves in this debate. We do not need a stubborn, arbitrary, unilateral manner. We do not need a mindless, thoughtless, incoherent babble from people who oppose someone or who oppose part or all of what is being submitted by the government. We certainly do not need personal attacks nor do we need the imputing of motives. In fact, we should be listening to one another and accepting the views of others in good faith. There is not a member of this House who agrees with this resolution 100 per cent; I suspect even the Prime Minister (Mr. Trudeau) could point out two or three things that are in it which he does not like. And that applies to every member in this chamber.

● (1520)

We do not need a gang of five going to court, nor do we need an attitude and state of mind from the government which precludes openness and favourable consideration of suggestions and amendments put forward by opposition parties or individual members from any party when the committee meets. I and others do not like the fact that the government is acting unilaterally on this matter, even though I fully under-

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stand and appreciate why they feel compelled to do so. Someone said, and I forget who it was: We were elected to make laws, not legislatures. We were elected to support or oppose governments, not establish them. We were elected to work under the rules, not make them by ourselves.

The five principles that are in the legislation have been policies of my party at various periods of time. For example, patriation has been part of our party policy since the 1930s, when the CCF spoke up for patriation of our constitution. We support the amending formula. Language rights has been party policy for many years. I am hopeful the government will, in committee, do something about what appears to me to be a double standard. But we support in principle the entrenching of language rights. We have supported for many years entrenching a charter of rights even though that in itself will not be sufficient to guarantee those rights. We have always supported the principle of equalization and here again we hope the government will accept amendments which would make that provision in the resolution even better. We hope it will specify and spell out equalization payments.

Most of all, my party insists that this resolution embody a sixth principle, namely, the matter of ownership, control and the right to manage the resources by the provinces.

Mr. Deputy Speaker: The hon. member for St. John's East (Mr. McGrath) rises on a point of order and wishes to ask a question with the hon. member's permission.

Mr. Benjamin: Mr. Speaker, I am trying to get this finished so I can get to the airport. I will try to keep my remarks under 40 minutes and if he would be good enough to question me then I would be happy to try to answer him.

Yesterday was the tenth anniversary of the imposition of the War Measures Act during peacetime. Ten years ago yesterday my former leader and political mentor—I hope he still is my political mentor—Tommy Douglas, told this House the NDP party did not accept the government's heavy-handed tactics which could cause a person to be held for 90 days or more without an opportunity to prove he or she did not belong to a subversive organization. He said:

This government now has the power by order in council to do anything it wants—to intern any citizen, to deport any citizen, to arrest any person or to declare any organization subversive or illegal.

I am not convinced the present wording of the government's proposed constitution act would prevent a repeat of this denial of rights. Section one of the proposed charter of rights says:

The Canadian charter of rights and freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits as are generally accepted in a free and democratic society with a parliamentary system of government.

The words "as generally accepted" are a loose definition which could be interpreted in many ways. I hope the government will be willing to review this section when it is before the committee. I wonder why this qualification should apply to the right under section 12:

—not to be subjected to any cruel and unusual treatment or punishment.