

*Private Members' Business*

At this time when many Canadians, elected and non-elected, are thinking about what their Constitution should prescribe, let us first begin by subscribing to values of what we, as members of Parliament, are entrusted with upholding.

Last summer I was listening to a discussion phone-in program on CHML radio in my riding of Hamilton West. The particular program is hosted by a very knowledgeable, colourful individual by the name of Roy Green, whose discussion centres around issues in the public eye, issues of importance to many people.

During one particular week, Roy was talking about the oath of allegiance in relation to public institutions in Ontario. The subject matter of this particular program dealt with the removal of the oath of allegiance from the police act. People were very upset that the oath was being done away with. More recently, the Law Society of Upper Canada did away with requiring the oath to be taken by new members joining the Canadian Bar Association. That one has still got me scratching my head, Mr. Speaker.

Anyway, Roy Green's show got me thinking about our oath. When I called the Clerk's office for a copy of the oath I had sworn to—I must confess, I could not remember all the words because of all the excitement of the moment—and when I checked back to the oath, there was only mention of the Queen, period. There were no guiding principles, there was no mention of Canada.

As we are revisiting our Constitution, I believe it is high time that members also swear an oath to Canada as well as the Queen. Many people were very upset with the way the oath was being cast aside and wanted the oath to remain as is. Other callers to the radio show said that there should also be an oath sworn to Canada. I took this notion from Roy Green's show and decided that, instead of doing away with the oath as it stands, I would build upon it to recognize our history, to recognize our traditions. I decided I would swear an oath to the sovereign, but recognizing our maturing nation I would similarly swear an oath to uphold our Constitution, our laws and the institution of Parliament.

Since 1774, there has been an oath of allegiance in our legislatures which has not borne any mention of Canada. Today members swear the same oath as that prescribed

in the Constitution Act of 1867 and not a single word has been changed to reflect the idea of a sovereign nation called Canada. It is because of my respect for our institution and our traditions that I stress again my intention, through this bill, is not to do away with the oath as it stands but to build upon it.

Some members may wish to do away with the oath to the Crown entirely during these times of constitutional change. Others may wish to keep it, and it alone, as the oath they must swear before taking their seats. I propose an alternative which I believe not only recognizes and respects our past but brings home what we are and how far we have come as a country.

Contrary to what some people may think, the Quebec Act of 1774 provided for the protection and promotion of the French community. The act provided that despite attempts to religious conversion from Great Britain, Roman Catholics could hold public office. The Roman Catholic church was established by giving it the power to collect taxes. The civil code was recognized in law and the boundaries of the province were extended. The oath of allegiance did not have to be taken by any person professing the religion of the Church of Rome, recognizing that in order to ensure peace, order and good government, French members of the community would have to be treated as equal members of the community. In 1774 the oath was almost as long as that British members of the Privy Council swear to today.

It was not until the passage of the Canada Act of 1791 that legislatures were created in both Upper and Lower Canada. The oath members at that time swore to is, incidentally, the same oath that members of the British Parliament swear to today; however, even when our Constitution was patriated in 1982, when we broke all legal ties with Great Britain, our oath remained the same.

We often hear debate over what is actually Canadian identity, Canadian culture. Our identity and culture have grown since 1791 and 1867, indeed since the presence of French explorers as early as 1605. Again I say that keeping the reference to the monarchy is not because we are subjects of Her Majesty. In law we are not, although many people claim loyalty to the Crown. By keeping the oath to the Crown, in addition to an oath to our Constitution and our laws, it is to merely recognize and respect our history.