

*Official Languages*

possibly be much clearer constitutional guidance. The minister contradicted himself in his speech on Friday. He knows full well that to change sections 133 and 91(1) is not within the powers of the present government. I would like to put on record what the minister said in his speech on Friday, as found at the bottom of page 8 of his speech:

• (3:10 p.m.)

It is true that our constitution already provides for the use of both languages. At present, however, section 133 of the British North America Act applies only to the Legislative Assembly and courts of Quebec and to the federal parliament and courts.

He goes on to say:

Though in no way amending the constitution, the bill which is being submitted to you does concern language usage in connection with the federal government and parliament and the institutions thereof.

I would say that that last sentence is a direct contradiction of what he said in the first part of the paragraph. In the same paragraph he goes on to say:

Seen in this light, the present bill represents the culmination of an extensive evolution.

Evolution means change. In other words, what the minister is saying is that in the British North America Act it is forbidden to deal with it in this way but the government is going to do it anyway. I wonder why, Mr. Speaker? I am sure the minister knows that it is unconstitutional to tamper with the language in the way he has suggested, or the way this bill suggests. However, I covered most of that on Friday, so I will continue.

There is one other aspect of the constitutional question that is of interest and that I believe has not yet been sufficiently stressed. It has to do with the erroneous idea that has grown up in some areas, and was even expounded upon by some commentators of the mass media during the recent constitutional conference, that all that is necessary to secure passage of this bill as a constitutional measure is to get unanimous agreement on its worth between the federal and the provincial governments. Such agreement, however desirable, in itself means nothing. The next and inescapable step is to secure an amendment of the constitution to make this bill legal. Either the constitution of our country means something to us or it does not. I suggest that the government intends to ignore the constitution.

By way of an aside, Mr. Speaker, it was quite revealing, I thought, to hear the reaction of the Premier of Quebec to this bill at the recent conference. Its avowed purpose is to

[Mr. McIntosh.]

satisfy the demands or expectations of French Canadians, largely resident in the Premier's own province. One might expect joyous and wholehearted support for it from that quarter. But what was his reaction? What was Quebec's reaction? It was cool and reserved. I believe the Premier said something along these lines: "It's nice, we can probably accept it without arguing too much, but what we really want is something quite different and much more." If Quebec does not want this bill, who does?

I said earlier, Mr. Speaker, that my second objection to this legislation was that I thought it was undesirable. I believe it is undesirable because I believe it will not achieve what it seeks to achieve. I believe further that it is the wrong method of pursuing the aims that the bill's backers claim to be seeking. I do not believe you can legislate to change people's emotions, mind or spirit. You cannot mould or regulate emotions, thoughts or spirit by legislation. I do not believe that understanding, tolerance or courtesy can be legislated into being. On the contrary, I think that legal compulsion too often has the opposite affect. It breeds the very difficulties it seeks to alleviate. It inflames the sores it seeks to sooth.

This bill envisages a tremendous, cumbersome and vastly expensive federal apparatus, set up to establish a complex system of language areas and to police what has already been established. Problems of human beings living together in reasonable accord are matters of the heart and mind, of mutual regard and respect, of understanding and brotherhood. In my estimation nothing will warp and pervert human relationships faster than government compulsion and the witches' brew uncovered by free, individual access to legal proceedings. I do not think the machinery to be set up under this bill will work. I do not think it is economically practical. I think it is self-defeating. I think it will damage national unity beyond repair. As I said on Friday, it will create disunity in areas where disunity never existed before.

This bill spells the end of the simple and honourable designations, "Canada" and "Canadian." It will forever entrench the hyphen in our national life. It will set one group against the other and damage rather than help the cause of that group it seeks to assist. It will end by creating what the people of French tongue in Canada profess to want the least—a compartmented French-English