

ing these duties. In particular, in matters such as government spending, revenues to the pharmaceutical industry, immigration and refugees, and affirmative action for women in employment we have shown that the government's position differed from the public interest, and Canadians have responded by involving themselves more and more in our proceedings and frequently appealing to us to take a strong stand. We have done so for regional interests, minority communities and individual rights, particularly in the interests of national well-being.

We have distinguished ourselves most, however, by insisting in the last Parliament on behalf of all Canadians that the predecessor to this bill be submitted to the people to decide. That was our proper role and carried constitutional legitimacy and precedent. It was in keeping with our role as a political court of last resort. Here was legislation presented by a government that had as its policy the deliberate purpose of non-explanation and non-debate. We are all aware of the 1985 memorandum to Cabinet, which argued—presciently, as it turns out—that the more the Canadian people knew of the trade deal the less they would like it. The memorandum went on to argue that the presentation should be kept general and vague. Sell it on the “touchy-feely” sentiments of free trade, the memo said. “Don’t get into specifics, or Canadians would focus on the cost side of deal and reject it,” said the memo. “Just talk about the good parts. Don’t let Canadians make a balanced assessment,” decided the government. Of course, the government could justify this approach, because it knew what was good for the Canadian people more than Canadians could grasp for themselves. Well, that is where the Senate has its responsibility: to make sure that the government is required to explain itself and to justify its purposes.

● (1620)

This bill was not understood and not well explained. We asked that the government seek a mandate before proceeding and, in so doing, demonstrated our own role as legislators of final resort. We spoke for a majority of Canadians, as their vote in the election demonstrated. That the Senate decision was a correct one in the eyes of the Canadian people was shown by the fact that our decision not to pass the bill in the last Parliament was never raised as an issue in the election but, rather, was accepted by the Canadian people to be right.

The government sought a mandate not because it wished to do so but because it had no choice. Even so, the Prime Minister and his Cabinet tried to avoid debating the issues and telling Canadians the risk side of the agreement to Canada's sovereignty and to the lives of individual Canadians in agriculture, services and manufacturing.

I want to honour the Leader of the Liberal Party, the Right Honourable John Turner, for his performance in the last election in finally forcing the government to offer some account to Canadians. Mr. Turner's work in the TV debates of October 24 and 25 captured the attention of Canadians and brought about an assessment of the issues across this country the like of which has not been seen for a long time. Canadians came face to face with their deeper feelings and understanding

[Senator Austin.]

about being Canadian. They re-examined their attachment to this precious community of people, this precious geography we call Canada. The result was a strengthening of all that is Canada. John Turner played a crucial role in this renewed understanding and has found a proud place in our history. Canadians, by voting 57 per cent against this bill, showed that they understood the issues and were concerned.

I have said that through the representative system of government as practised within the Canadian Constitution and its Conventions the Progressive Conservative Party won a conditional victory. But the Canadian jury is out on this legislation, as Senator MacEachen has said. It is out on its desirability for Canada, and the government has a considerable task to bring about the benefits that it has promised the Canadian people.

My chief concerns regarding this bill are not with the principle of free trade but with the great shortcomings of its achievement in the Canada-United States agreement and in this implementing legislation. Canada is a leading world trading nation, second to West Germany in the percentage of GDP earned from foreign trade. Everyone knows that Canada and the United States are the two greatest trading partners in the world, exchanging over \$150 billion of goods and services between them. Open markets, liberalized trade and fair currency exchange practices are vital to Canada's well-being. We have been leading members of the GATT processes and are working assiduously in the current Uruguay Round. We have been active exponents of more generous north-south commerce, and through the UNCTAD process and international bank support and through CIDA, in all of which the Honourable Allan MacEachen played a significant role in his years as Secretary of State for External Affairs, we have sought a more universal commerce among nations.

Personally, I favour a real, effective and equitable free trade relationship between Canada and the United States. This bill falls far short of what is required. This bill falls far short of what the Prime Minister, in 1985, 1986 and 1987, said was required. You will remember his objectives at the time.

First, that no deal would be concluded unless there was a removal of all constraints, tariffs, antidumping duties and those “Oh! So special” U.S. rules of countervail. Second, that there would be a specific definition of fair trade practices, or subsidies, that would clearly exclude from U.S. trade action the essential social programs that have made Canada the country we are proud to be. Third, that there would be a dispute-settlement tribunal, which would apply agreed-upon trade rules to the practices of trading entities and of government agencies.

Those were not criteria imposed on the Prime Minister. They were, as he once knew, the essential objectives of any trade deal for Canada. They were essential to provide fairness between two countries that are not, and never will be, equal trading partners. The United States is ten or twenty times our size, depending on the statistics chosen. It is a world superpower with interests and responsibilities beyond our terms of reference. In any such trade agreement we needed, and should