

What about this legislation? The opposition tried to improve it. We had certain objections, one of which regarded its constitutionality. Other amendments were moved, but I will not detail them. They can be found in *Hansard* of July, 1969. But here is the one that shows the utter hypocrisy now before parliament. An amendment was moved by the hon. member for Crowfoot (Mr. Horner), and that amendment was:

That Bill C-120 . . . the following subclause 5:

(5) Notwithstanding anything in this Act, no person shall be refused employment or promotion within the Public Service of Canada on grounds alone of inadequate acquaintance with either of the official languages mentioned in this Act, provided that the applicant has declared his intention and willingness to learn the other official language.

Is that not what it says? The Minister of Finance, then minister of justice, brushed it aside. "It is worthless", he said. The Liberal members lined up and said "you are so right".

Mr. Turner (Ottawa-Carleton): The right hon. gentleman should read the argument.

Mr. Diefenbaker: I did not get that.

An hon. Member: You did not miss much.

Mr. Turner (Ottawa-Carleton): I think the right hon. gentleman should read the argument.

Mr. Diefenbaker: I read it and I found it to be the most indigestible collection of nonsense.

Some hon. Members: Hear, hear!

Mr. Diefenbaker: We said that the constitutionality should be tested. The then minister of justice said "it is constitutional. I tell you it is, and the Prime Minister says it is". I said that we should allow the Supreme Court of Canada the opportunity to test it, and the then minister of justice said, "we are not afraid of that". Anybody can object. Then, Mr. Justice Thorson raised an objection and the Department of Justice appointed lawyers who fought inch by inch against Mr. Justice Thorson having the opportunity to even start the action. The matter will come before the Supreme Court of Canada within the next few days.

What about the constitutionality? Nothing has been decided yet. There is a case coming here, but it will not be decided before the fall.

The best argument advanced was by the hon. member for Cumberland-Colchester North (Mr. Coates). He spoke in July of 1969. He went into detail and then said:

When a jurist of the stature of J. T. Thorson places before the Canadian people his concern about the constitutionality of the bill, I would think the government would be quick to make a reference to the Supreme Court—

Then, later that day, he went on to say:

It is the lack of reference to the Supreme Court that has created my greatest problem regarding this bill. Had the government taken steps to make such a reference to the Supreme Court of Canada . . . or had it indicated there was agreement by all the provinces to amend the BNA Act, requiring action to obtain passage of an act by the parliament of the United Kingdom, I might have been willing to support the bill.

His position today cannot be changed—

Official Languages

Mr. Speaker: Order, please. Perhaps I might be allowed at this moment to interrupt the right hon. gentleman to bring to the attention of the House that his time has expired. But of course he may continue with the consent of the House.

Some hon. Members: Agreed.

Mr. Diefenbaker: Thank you, Mr. Speaker. The House has always been considerate, except on one occasion when the present Postmaster General (Mr. Ouellet) was the only person in the House to say "no". If he were here, I would read him some interesting things.

That was one of our arguments. The other was that the Commissioner of Languages has powers that were too great. Lo and behold, some of the Liberal members have since concluded that his powers were too great. He was given greater powers than any person in Canadian history. I heard him yesterday on "Cross Country Checkup". If you really want to check up on what he said yesterday you will have an opportunity of doing that on a later occasion, as I am now speaking on the amendment. He is the one who spoke about the Westmount Rhodesians. That was a classic phrase. He went to the United States to make that statement before a learned society. When he was questioned, he said "I was joking". Joking! Yesterday he was not joking when he was asked questions. He said to one person "garbage" when that person took some issue with the act. He used some other language too that indicated he is completely contemptuous of the rights that he has and he has come to the position where he believes that anything he does is humorous, regardless of the wrong that has been done to the public service of our country.

We said that the despotic powers of the commissioner should be reduced. We said that there should be protection of the rights of English speaking civil servants who have been in the civil service for years, who could not meet the provisions of the Languages Act and therefore would be denied advancement. I said that bill created an injustice to the people of other racial origins and made them second class citizens. And it did. They were in a lower category. Now, along comes the government and suddenly the Prime Minister has seen the light again, and about \$10 million is going to be made available. Some 5 per cent of what is going to be spent on biculturalism and bilingualism is going to be doled out from the rich man's table to all the six million people of racial origins other than English and French.

● (1630)

Sir, I can never get over the observation that the Prime Minister made when somebody asked, "What is going to happen if any civil servant refuses to learn French?" And he replied, "Unwilling? That would be fine. We would keep him running elevators where there are no French Canadians." There is the attitude, Mr. Speaker. And Her Majesty's Loyal Opposition is to say by its vote that we do appreciate the way in which this act has been administered, the way in which discrimination has been practised under it. Sir, I shall not participate in giving to the government the appreciation of one who has tried through the years to bring about an end to discrimination within this nation, and in saying to the Prime Minister and to the