

that we have given ourselves the equipment, we have to get on with the rest of the job.

Miss Pauline Jewett (New Westminster-Coquitlam): Mr. Speaker, like others, I am very proud to be taking part in this debate. I have felt for a very long time, in fact pretty well all my life, that one of the most important gaps in the Canadian Constitution, the British North America Act, has been the lack of a charter of human rights and freedoms binding on both federal and provincial legislatures. Therefore, when the constitutional proposals were introduced last fall, it was with particular pleasure that I noted there would be such a charter in this proposal.

It was, however, very discouraging when reading the fine print of the charter to discover how hastily conceived it had been and to what a large extent it had neglected the real needs of many Canadians. Indeed, in my speech in the House of Commons on October 23, I pointed out in particular that the charter, whatever its intent, did not guarantee women's human right to equality. It had used the very same phrases, such as equality before the law, that had been used in both common and civil law traditions and in the Diefenbaker Bill of Rights, which had been interpreted to mean equality in the administration of the law but not equality in the law itself and the very substance of the law. There were other deficiencies in the original proposals. That one, however, was so enormous that no woman in the country, or indeed any other group which had not hitherto been equal, could feel equality was being guaranteed.

● (1620)

Over the past several months one of the most exciting developments has been that Canadians have spoken. A very large number of Canadians have spoken to the Special Joint Committee on the Constitution of Canada, or have written submissions to it. When people say that this Constitution, and particularly this charter, is not being made in Canada, I really have to laugh. Not only is it being made in Canada by this Parliament, even more important than that, all the amendments introduced in January by the Minister of Justice (Mr. Chrétien) were proposed and pressed by the people of Canada and their various important groupings, both provincial and nationwide.

Perhaps those of us in Parliament and in the legislatures tend to forget that a democracy consists of more than us, that there is perhaps not just two orders of government of vital importance in our democratic society, but a third order. This third order intervenes usually between elections, because the people themselves fundamentally guide us at elections. This order consists of groupings of individuals, economic groupings, cultural groupings, groupings based on ethnicity, religion or sex. These are powerful, dynamic and democratic groupings of people whose points of view we, as legislators and parliamentarians, ignore at our peril. It is from this part of our democracy we have been hearing in the past several months.

The wisest thing the government did was to allow television coverage of the constitutional hearings and an extension of

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time for briefs to be presented, both orally and in writing, to that committee. The authors of these briefs and submissions, these representatives of Canadians, are the ones who have had more to do than any of us with making this charter much stronger and better than that originally proposed. It is a very good one. These are Canadians who have done this. Even I was taken aback by the strength of their voices, particularly in the case of the briefs concerning women's human rights to equality and by the general agreement among all the groups on what amendments were needed. We are not talking about just a few Canadians having been heard, we are talking about groups representing thousands and thousands of Canadians.

May I remind the House that on the issue of improving the charter, so far as women are concerned, excellent far-reaching briefs were heard from the Canadian Advisory Council on the Status of Women; the National Action Committee on the Status of Women; the National Association of Women and the Law; Indian Rights for Indian Women; the Canadian Committee on Learning Opportunities for Women; the Canadian Abortion Rights Action League; the Native Women's Association of Canada, and many more. These were just some of the groups who appeared before the committee. They represented women, and men too in some cases, not only as national organizations but as the umbrella group for many provincial and liberal associations.

In the written submissions, we heard from a large number of provincial status of women action committees, committees of women for constitutional change, many business and professional women's clubs: The Catholic Women's League, Federated Women's Institutes of Canada, the National Council of Women of Canada, and through it the provincial and local councils of women; the National Council of Jewish Women of Canada, several provincial advisory councils on the status of women and, in some cases, municipal ones; the Vancouver Status of Women submitted an excellent brief; Women for Political Action; many branches of the YWCA as well as the National YWCA; several university clubs; a number of research centres; and a number of women's centres, including one very close to my riding, namely, the Port Coquitlam Women's Centre. This is only a partial list of the voices heard of Canadian women who wanted to see the charter entrenched but who wanted to see the best possible one entrenched. They did it. It is their charter, just as it is the charter of groups for other parts of the charter who were heard, whether it was the disabled and the handicapped, the aboriginal peoples, or representatives of our multicultural fabric. They too are responsible for, and share in, the creation of this amended charter, so I hope we will not hear any more about this charter not having been made in Canada by Canadians.

● (1630)

There was significant improvement in almost all 50 clauses of the government's constitutional proposals when the Minister of Justice brought his amendments forward in January. There were very significant improvements; there is no question about that. There is equally no question that further clarifications could be made. Further strengthening of certain clauses in the