

*The Constitution*

tional review. I ask why are we not using the same standard for another fundamental part of the country, the west, so that it too can have a chance to get some redress for their grievances through consultation and conference rather than confrontation?

**Some hon. Members:** Hear, hear!

**Mr. Nowlan:** You do not just go from the snare and the delusion of unanimity, and the fact that unanimity is next to impossible, to unilateral action. There is no need to go from one extreme to another. By the position of this party takes in favour of patriation on the basis of the Vancouver proposal, we are prepared to admit that unanimity is not the way in practice, even though it is the ideal. There should be no more canards or pretence from the other side that unanimity is a necessity and that because you do not have unanimity you have therefore to proceed with unilateral action.

Is it just because the present Prime Minister wears a halo putting him in communication with some extraterrestrial beings that he has the almighty, divine power to do unilaterally what a fellow called Mackenzie King did not do; what a fellow called St. Laurent did not do; what a fellow called Mr. Pearson did not do, or what that greatest tyrant of all, John Diefenbaker, did not do? Just imagine if Mr. Diefenbaker were sitting there today moving unilaterally against the aspirations of the emerging quiet revolution from Quebec. You would have seen all the columnists in those one-paper towns—not one-horse towns—writing very objective columns such as, “Mr. Diefenbaker, you are a tyrant; you are a despot, you are dictatorial.” The Prime Minister talks about the tyranny of unanimity. I suggest you cannot answer the tyranny of unanimity with dictatorial unilateral action which fundamentally runs across every constitutional convention that we have respected in this country for 113 years. There is not a member in this House who believes this country would ever have come together if John A. Macdonald had said: “Boys, come here because I am going to act unilaterally.” When you breach the convention of consensus, you are breaching the fundamental fabric of this land.

**Some hon. Members:** Hear, hear!

**Mr. Nowlan:** I have tried to understand how we could be in this position today, debating unilateral action as the answer to the falsehood of unanimity? We want patriation and we know that unanimity is not going to give it. We do not care. We want the Vancouver proposal at least.

In trying to figure this out, I suggest there is a flaw in our federalism today. Even Premier Blakeney, who I heard last night on television, suggested there is a flaw in our federalism. I commend this to those who do not get west of the Lakehead too often because we all want Canada to stay together in some form. But having been in the west and having practised law there for eight years, and having been west this summer, let me say the feeling I have grasped out there has scared me. This feeling is transmitted through moderates and transplants from the east who said this summer, “We do not care. Go your

way.” They did not say it emotionally as they said it two years ago. They did not talk about French on cornflakes boxes. It is way beyond that. The flaw in this federalism has at least three parts. One is the federal-provincial procedure in evidence at the last two conferences, anyway. I suggest that historically, to counter the powerful federal presence, there has always been a strong counterbalance of one, if not both, of the two senior governments in this country. To counter the federal government, one needed at least Quebec, Ontario, or both, to present another point of view.

I am not going to go too far on this aspect, Mr. Speaker, but we know that today the government of Quebec, for its own reasons, is not really interested in being a counterbalance to the federal point of view. Unfortunately this was apparent in the last federal-provincial conference, and even in the one before. It was manifested on television screens. It was clear. It was apparent yesterday that the great province of Ontario, for its reasons, has not been a counterbalance to the strong federal presence. This has distorted part of the history of federal-provincial conferences. When you compound that imbalance with the second ingredient, which is in this chamber, never has there been more of an imbalance in the representation of different areas of the country. When you get an imbalance in federal-provincial conferences without the two senior governments historically being a counterbalance to the federal presence and then get a distorted House of Commons, the situation becomes even more difficult. As we all know, Conservatives were shut out of Quebec and thereby do not get the voice as directly as they should. On the other side of the coin, west of the Lakehead, there are those two lonely outposts with a mere two members on the government side, also unable to give a clear voice from the west.

The government does not have western representation in its caucus. I say this with all respect to the senators who try to be surrogates but who cannot be because they do not have to face the people at election time. Most of them are converts anyway, and therefore suspect—the Olsons and those other fellows.

Speaking of Senator Olson, the Minister of State for Economic Development, according to the Vancouver *Sun* for October 11, he said in Edmonton that he does not favour Prime Minister Trudeau's constitutional amending formula. He said, “My personal preference is the Alberta proposal.” That is another whole thing which the Prime Minister will have to tackle. Perhaps at some time a prime minister might have said, “It is time to move unilaterally”. Perhaps in Mr. Diefenbaker's day in 1958 when there were 208 members, 50 from Quebec on the government side, a prime minister not respectful of provincial jurisdiction might have said he had the troops with representation from all sides and could therefore move unilaterally. However, if there was ever a time when unilateral action should not take place, it is when this House of Commons is as distorted as it is now in representation.

● (1530)

This is compounded by what I said earlier, the phenomenon we see in this country of “one-paper towns.” In a one-paper