

*Supply*

I think it is unfortunate if we look at the charter in terms of status. It is critical that we look at the charter in terms of the protection of rights. I recognize that it raises some interesting problems concerning individual rights and collective rights, but that is part of this country and the history of this country, and one of the things that we are going to have to deal with as we address the substantive questions of the Constitution.

I am one that believes that a charter is absolutely essential. I also believe that there is room for amendments within our charter, but I think the impact of the charter on the constitutional process is important to recognize. We must clearly address the concerns of a number of Canadians.

The native people in this country have some very real historical and current grievances which I think, partly through the Constitution, but primarily through the will of the Canadian people we can and we absolutely must address. Any politician knows it is risky to go into a list. There are a number of other groups. I want to mention only one because of the importance that I place on it, but not exclusive to others.

In the few short minutes I have, with all the disturbances and the carryings on, I thought it important to talk briefly about some of the things that we have heard in the committee. Quite clearly, the government and the Prime Minister on January 24 last year said that in the coming months and years we must find a way to reconcile the need for public participation and open democratic process in the legal requirements now in the Constitution.

When the committee was set up, the Prime Minister again stated that the mandate was to consult broadly with Canadians in the process for amending the Constitution of Canada, in particular on the role of the Canadian public in the process. I do not think we are going to come to a consensus that will allow us to change the Constitution in substantive terms, nor in process terms, unless the Canadian public feels that it is genuinely involved in the process.

As I said before, it is unfortunate and premature for us to assume that we know how that is going to work. I think there are a number of approaches to take. We started our deliberations on February 19 and since then we have heard 26 witnesses. I think all of them have stressed, and I know my colleague from Saanich—Gulf Islands will

agree with me that there is no question that public participation is important and vital in the process. Unfortunately not every agrees on how to find that. They do not know where the answer is. The 17 of us on the committee have no consensus on what that is either.

A number say that what we should do is take the current process and make it work better. There are two or three arguments around that. One is the question, as we have talked a bit about it, the nature of our democracy. The other is the reality that one way or another the current amending formula, technically and legally, is the thing that we must address and we must deal with.

There are problems. We all know that there are potentially very serious problems. We have had the debate over legitimacy and legality in terms of our ability to talk to the Supreme Court about a broad Canadian consensus overtaking a legal question, and that is one we are going to have to grapple with again. But are there ways that we can do it?

I think my friend from Yorkton—Melville talked about the ability to come to agreement; the question of allowing powers to be delegated through a variety of different processes, that we as Canadians can find the accommodation that is so essential to make some of those jurisdictional questions become less of a problem.

There have been a number of discussions on the question of a referendum. Many believe that a referendum is particularly important to make democracy more democratic, somebody said that. Vincent Lemieux from Laval said that a referendum makes democracy more democratic, but he worried about the tensions of the time.

• (1720)

Gordon Robertson talked about a referendum that could perhaps be operated in two stages if people were not prepared to participate: Quebec to clarify its position, Canada to respond to Quebec.

There is the question of a constituent assembly, which has gained some great currency in this House and in a number of other places. However, there are some real problems with that. Some say not to get into a constituent assembly because too much time would be spent in discussing how to set it up. Some worry that a constituent assembly will in itself create a whole new class of politicians who get elected to it if they are broadly