

with other countries on a standing of equality in international trade relations. Such provincial competition serves to reduce our national efficiency. Of course it may alter the division of the economic pie, but certainly it makes it smaller. In the end such internal competition is merely self-defeating and invites retaliation.

Let me quote the Minister of Justice (Mr. Chrétien) on that last point. Very recently he stated:

—discrimination by one province explicitly gives nine other provinces the right to do the same thing, that is the right to retaliate. And when this happens, no one should think that the weaker provinces will be the beneficiaries. For retaliation is a more effective weapon in the hands of the strong than in the hands of the weak. Furthermore, retaliation is most likely to take place at times of economic difficulties and this will only compound the problems of the less fortunate provinces.

While the world is removing obstacles, we are allowing them to increase. While the world is seeking larger economic units, whether in Latin America, Asia or Europe, we are subdividing ours. Unable to utilize tariffs, quotas and certain kinds of indirect taxes for constitutional reasons, the provinces have developed partial substitutes by way of subsidies, regulation of industry, moral suasion, provincial or public ownership, and other devices. But, have we not travelled this road before? Well-documented studies clearly point to the unwelcome effects of prolonged protection of the Canadian market on the efficiency of industry, the high degree of foreign ownership in Canada and the uneven distribution of gains and losses by our various regions. Are we seriously proposing to travel that route in yet smaller provincial markets?

In the new Canada Act we recognize the fundamental nature of mobility rights. The clause in the new legislation reads as follows:

Every citizen of Canada and every person who has the status of a permanent resident in Canada has the right (a) to move to and take up residence in any province; and (b) to pursue the gaining of a livelihood in any province.

So, section 121 of the BNA Act which prohibits obstacles to the movement of goods, and this new clause in the legislation guaranteeing mobility rights, serve very real and not hypothetical needs. These rights for the movement of labour, people, goods and capital are essential to our economic development. Also they are essential if we are to reduce economic disparities in our country and achieve the goal of equalization which of course is promised elsewhere in the new legislation, in the new act before us, in the new constitution. We shall not achieve the equalization we seek without the freedom of movement which is also set forth in the legislation.

The principle of mobility of people and labour, is now in our constitution. As in so many other areas, however, the underlying ideas must be seen as implicit rather than explicit. In fact, the clause guaranteeing the freedom of movement is considerably less than some other proposals which have been made during the intense discussions leading up to the debate we are now undertaking. The Quebec government, the Ontario government and others across the country have looked toward the guarantee of the free movement of goods, services, labour and capital in the new constitution.

### *The Constitution*

For example, the constitutional committee of the Canadian Bar Association held that so basic a matter as the degree of a country's economic integration should not be left to changing judicial philosophy but should be articulated in the constitution. Also it urged the need for greater constitutional support of the national market against provincial protectionist policies which could lead to the balkanization of Canada. To a degree that task is still before us. Of course there is provision in the legislation for first ministers' conferences in the two years ahead. It is my hope that the problems of restriction on the interprovincial movement of goods, services and capital will be explicitly prohibited through those further discussions. In any event, we have made progress and we are making progress, in the legislation currently before us, in guaranteeing the freedoms to ensure that we shall be better able to provide every Canadian with a full opportunity to participate in a prosperous economy.

More generally we are participating in a debate which will confirm that with our new constitution at home, amenable to further growth and evolution as necessary by Canadians, we shall affirm our own faith in our own judgment, in the determination of our own domestic arrangements and our own unique way of life.

Victor Hugo once wrote the following:

On résiste à l'invasion des armées, on ne résiste pas à l'invasion des idées.

It has been rather picturesquely translated as:

Greater than the tread of mighty armies is an idea whose hour has come.

The hour has come to bring home the Canadian constitution and to guarantee Canadians those rights which are fundamental to the full realization of the partnership of the Canadian people.

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

**Mr. Geoff Scott (Hamilton-Wentworth):** Mr. Speaker, I rise as a Canadian. Unlike many of my colleagues on this side of the House I am not a constitutional expert, nor can I hope to rise to the eloquence of the Right Hon. Leader of the Opposition (Mr. Clark) on the opening day of this historic debate which was unquestionably the finest speech of my leader's political career. It set the tone and very high standard for interventions from hon. members on all sides of the House on this vitally important and lasting resolution for Canada.

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

**Mr. Scott (Hamilton-Wentworth):** This resolution is for all of us and for all time. On constitutional matters I guess I know as many details about the amending formula and the process of entrenchment of the charter of human rights, indeed the whole mechanism of bringing the British North America Act to Canada, as do most of the 75,000 people I have the honour to represent in Hamilton-Wentworth. I dare say that most of my constituents would agree with the redoubtable former Senator Eugene Forsey when he said:

I haven't heard anyone say that they couldn't sleep at nights because the constitution wasn't patriated, that they couldn't keep their coffee down in the mornings until we see a charter of human rights, or that they couldn't concentrate on their work until there's an amending formula.