

The Constitution

On this sixth point with respect to the charter of rights, I say that we are taking a giant step toward the Americanization of this country. That bothers me, particularly when it is done in the name of Canadianism.

Mr. Clark: True Brit.

Mr. Crombie: Yes, using the British to do it.

I come to my seventh point on the charter of rights. On three occasions the Minister of Justice has suggested that he is continuing the work of the late John Diefenbaker. Wow!

An hon. Member: What a perversion.

Mr. Crombie: I am sure he meant it honestly, but I cannot think of any notion that is more wrong. In the debates of 1960 and 1961 setting out the views of Mr. Diefenbaker, two things become very important, and they are very unlike the proposal put forward by the government. First of all, the Bill of Rights deals in the same language as the Quebec Act of 1774; it deals in the same language as the Act of Union in 1841 and in the same language as the Act of 1867—unlike the government's resolution. The Canadian tradition is carried through the Bill of Rights.

Second, the Bill of Rights carries through a right that has been with us and has in many ways determined our rights and privileges, and indeed, has expanded rights and privileges for people. That is, in the enjoyment of property, whether that property be large or small. Many people in this country spend a good part of their lives working very hard for the enjoyment of their property. That is why Mr. Diefenbaker enshrined it in the Bill of Rights. It is not in this one, Mr. Speaker, and that bothers me.

I have offered seven or eight examples—and there are more, Mr. Speaker—to explain that there are good and solid reasons why people have difficulty in merely accepting the view that “you ought to accept it and swallow it because it is good for you”.

Another reason why people are becoming more aware of the difficulty involved in going along with the government is that increasingly we find we are not a country of consensus, not a country where consent is the operative principle—we are not going to entrench any rights that we do not already have but we are going to be entrenching what we do not have—bitterness and division.

Some hon. Members: Hear, hear!

Mr. Crombie: Not one new right is being given by this government. Not one new right, Mr. Speaker. We should bear that in mind. The division and discord being brought down on this country will be with us long after the personal timetables of some politicians.

Some hon. Members: Hear, hear!

Mr. Crombie: Mr. Speaker, I am one of those who support what I referred to as the entrenchment of rights because it seemed to me that we entrenched the common law years ago.

A few days ago I enumerated them: section 133, language rights; section 94, the civil code in the province of Quebec; section 92, property and civil rights; section 51, representation by population, and section 99, the guarantee of an independent judiciary. Those things are already in the constitution. They did not come from this government, however. They came from Canadians who gave us that legacy 115 years ago. Those of us who oppose and have difficulty accepting that charter of rights and the creation of second-class provinces, for those of us who are opposed to the division and bitterness that are going to be entrenched in this country, would like people to know that we oppose because we honestly feel this way and that it is our responsibility to oppose it. And oppose it, we will, Mr. Speaker.

Some hon. Members: Hear, hear!

● (1720)

[*Translation*]

Mrs. Thérèse Killens (Saint-Michel): I would like, with your leave Mr. Speaker, to take this opportunity to refer to the constituency which I have the honour to represent. The constituency of Saint-Michel is situated in the northeastern part of Montreal and covers a small area of about 3.5 miles by 4 miles. The majority of the population is French-speaking, 16 per cent come from Italy, 3 per cent from English-speaking countries and 2 per cent belong to various other ethnic groups. They are fine people whom I like and know well. I like to tell them that the most valuable and fulfilling aspect of my mandate is to serve them. I firmly intend to continue to be their representative in this House, just as before when I was their commissioner. They have shown their confidence by electing me four times, twice as commissioner and twice as federal member.

However, this afternoon, Mr. Speaker, I would like to speak about the future of our country. Our forefathers have left us a legacy which Quebecers have kept by voting No at the referendum. As did several of my colleagues from Quebec, I devoted much time, effort and energy to that famous referendum, but our objective was worth the trouble and the weariness.

But this stage—I repeat—this stage of the referendum which I would not dare term a victory, was only the first step. Before we begin tearing at each other I suggest hon. members from both sides of the House should keep in mind the objectives of the constitutional reform. First, the basic rights and freedoms of Canadians will be entrenched for the first time in a Canadian charter of rights. Second, in the charter, Canadians will be assured of the freedom to move across the country and pursue employment in any province. Third—I am still dealing with the objectives of the constitutional reform, for that is what we are here for—the charter will guarantee that citizens of the English or French language minority in a province have the right to educate their children in that