words "similar in principle" may very well not apply, and probably were not intended to.

As for the power of disallowance, it has fallen into disuse. It was not used in 1959 when the government of Newfoundland tangled with two international unions and passed a law against freedom of association. No Quebec statute has been vetoed since 1911, despite gross violations of human rights. To say that the federal government is reluctant to use its veto power is, to say the least, an understatement. As a safeguard of human rights, disallowance proves the precept that power unused does become power abdicated.

Next, we have the 1960 federal bill, Mr. Diefenbaker's Bill of Rights. It protects our basic rights and freedoms, but as has often been said in this house, despite the efforts of a very distinguished Canadian it is little more than another statute. Unlike a constitutional statute it can be repealed any time by any federal party with the majority. It gives people no protection against provincial violations in areas of provincial jurisdiction.

The Diefenbaker bill gives us, for example, the right to the enjoyment of property. But the Hutterites in Alberta have been restricted by Alberta law from enlarging their agricultural communes. Some judges in previous cases have held that the provinces' authority over property and civil rights includes civil liberties. If so, our federal bill of rights is no protection. What about provincial bills of rights? All provinces have them. But they also have the power to amend, appeal or get around them, and with this goes the power of discrimination.

For example, the government of Quebec has a freedom of worship act that dates back to 1851. But for most of three decades, the thirties, forties and fifties, the Duplessis government in Quebec persecuted the Christian missionary society known as the Jehovah's Witnesses. Homes were entered without a warrant, peaceful meetings were broken up, bibles and hymnals illegally seized, women jailed without trial, and hundreds convicted of sedition. When Frank Roncarelli of Montreal, a rich and respected restaurant owner, posted bail for 393 witnesses over a period of two years, premier Duplessis ordered his liquor licence be cancelled. It ruined a family business that catered to distinguished customers like the Barrymores, and forced Roncarelli to take a job as a labourer. It took him 12 years to get back a fraction of what he had lost because he had tried to be helpful and exercise his freedom.

This violation of Quebec's freedom of worship act was finessed through the Quebec Liquor Commission, which could only be used by permission of Quebec's attorney general, who happened to be premier Duplessis, through a magistrate who ruled that the Jehovah's Witnesses were in business and thus required a permit they could not afford, and through a Quebec City bylaw forbidding the distribution of any "book, pamphlet, circular or tract whatever without . . . the written permission of the Chief of Police".

Not only were the Jehovah's Witnesses and their sympathizers outlawed, freedom of the press was clearly in police custody. For when the Quebec Superior Court upheld the Quebec City bylaw as "necessary for the protection of good order", a dissenting judge pointed out that the bylaw could just as easily prevent the distribution of election literature or any city newspaper.

When the Supreme Court of Canada finally overruled the bylaw as infringing on the freedom of worship act, premier Duplessis simply had the act amended. Clearly, nothing but public opinion prevents any provincial government from violating fundamental freedoms. Thus, liberty varies from province to province. More important, there are gaps in the law into which our rights can fall, a grey area between federal and provincial jurisdictions. Indians are frequently victims of this gap. But provinces claim they cannot do anything about it because the federal Indian Act supersedes a provincial bill of rights.

Women, too, have little protection. In the late 1960s, for instance, a policewoman in Sault Ste. Marie sued the Police Commissioner, the Police Association and the city. She claimed she was doing the same work as male policemen and not getting as much pay. The Ontario Supreme Court dismissed her case. In almost every category of work, women doing the same job as men are paid less.

Black and coloured people have little protection under our laws as they exist today. A 1975 York University study found 39 per cent of blacks in Metro Toronto had been barred by colour from buying or renting housing, and 38 per cent had suffered discrimination on the job or in looking for a job.

It is clear only a federal bill of rights entrenched in the constitution would be binding on all levels of government. Nevertheless, Premier Lyon of Manitoba in that much touted speech of several weeks ago argues entrenchment would be "contrary to our traditional and successful parliamentary government". He claims that since Britain has no constitutional bill of rights, Canada does not need one either. Anyone who says we do, he seems to suggest, is denying the genius of unwritten English common law and tradition. On a sentimental level I appreciate this view, as do members on all sides of the House, but I would not want to have to explain it to our victims of discrimination. As logic, to put it bluntly, it is a non-starter.

The reality is that many basic British freedoms are in writing. I think too many members of this House and Premier Lyon have forgotten that. In the thirteenth century England's barons found their ancient, unwritten liberties were being destroyed by the sovereign, so they had them written down in the Magna Carta. Then, in the seventeenth century, public opinion once again outgrew the law as practised by England's rulers, and the law was written down again in the 1689 Bill of Rights. The British have done this again and again, in writing. All Britons are well aware that their rights were bought with the lives of their ancestors. Can anyone imagine Mrs. Thatcher repealing habeas corpus? This and other pillars of freedom have so strong a moral force they are almost as binding in Great Britain as the constitution, as any constitution, and they were, indeed, written in law.

Another misconception is that the British themselves are satisfied with what has been called their miscellaneous, uncol-