*Constitution Amendment, 1987*

continent, and nowadays we hardly even know at the national level if the states exist. They are always there with their powers, but the great spending power of the central Government has brought it into the field of state jurisdiction, yet their Constitution goes on.

I should like to refer to the winter 1987 issue of *The Public Interest* magazine. It is entitled *The Constitutional Order, 1787-1987.* I think one library in town gets this book, and I think I have the other one. However, it contains nine articles by some of the leading intellectuals in the United States. They criticize and praise their own Constitution. I think the House will recognize the name of one of the writers, Senator Daniel Patrick Moynihan. He talked about it being an intellectual Constitution, all for the individual, and so on. However, part way through the article he wrote:

—the great object of the constitutional arrangements we thereupon put in place was that the government should leave the citizen alone ... Thus the thundering prohibitions of the Bill of Rights: "Congress shall make no law"; "No soldiers shall"; "no Warrant shall".

These were mandatory commands that no army or Congress could do anything to hurt individual rights. He continued:

Fair enough. That was the problem then. *The problem now is that citizens won't leave government alone.* They now plunder the State as the State was once thought to plunder them.

That was the conclusion of an experienced thinker and politician. He was not running down the Constitution. He was simply suggesting that for the next 200 years we will slowly have to find some way to keep the special interests, or these small groups which get everybody stirred up, off the back of government because we are destroying the right of the group to proceed in the best way.

I put those comments before the House for consideration, but I must repeat that we are simply enshrining in written form what has already been happening. In my day and in the Diefenbaker administration we called it co-operative federalism, as opposed to confrontational federalism. In my own case as Minister of National Resources and Minister of Agriculture I made over 80 agreements with the provinces. I found that I could achieve success by making each deal different with each province as long as it fitted into the federal objective. That was the main point which I think the Hon. Member for Hamilton Mountain was making. If you have a direction, why should each province not do the thing that best fits its needs and wants?

● (1350)

Those agreements still stand—some of them have expired—in spirit today. I am rather proud of the fact that people still remember my Roads to Resources, my Pine Point Railway—which everyone said was crazy—and still remember bringing in education into the new areas of the North, for example, the Northwest Territories. Sure we failed in the curriculum that we set up which was based on the provincial background and not on the native background, but at least there was progress. I would like to think that in pioneering this concept of co-

operative federalism, not only my name is there but also that of the Hon. Mike Starr who got the provinces to co-operate on education. How as Minister of Labour he did it, I do not know, but he was very persuasive in a small room. One day a few months ago we honoured him here by mentioning his name in the House. He was one of the few fellows who taught me how to get along with Quebec. He said, "Never put anything in writing".

**Some Hon. Members:** Oh, oh!

**Mr. Hamilton:** It was a beautiful lesson and everybody laughed. But when you have people sensitive about their sovereignty, do not stick them with written documents. We did co-operate to the benefit of Quebec and to the benefit of the whole of Canada.

The public should understand that all Members here are trying to put forward their clear-cut description of this Accord, but they will fail if they do not realize that all the public wants to know is whether it is better or worse than what we had before. It is the same as we had before, but in written form. I would think that is the simplest way to describe the Meech Lake Accord.

A lot of issues have been brought up, for example, the power of the provinces. Forget it, Madam Speaker. The provinces know how to use their power and they do not have any more power now than they had before—witness the United States.

Concerning women, as the Hon. Member for Hamilton Mountain pointed out, they are doing all right. If people continue to be normal at the government level, they will continue to do all right. God help them if they do not. It will be a long, hard struggle for the aboriginal groups to get what they want, namely, some form of sovereignty within the overall sovereignty of the provinces, the Territories and the federal Government. As for the question of the Territories not being mentioned, I think it is fair business, but at the same time nothing detrimental will happen to the Territories if we can get them into a financial position where it pays them to become a province. I do not think any province, unless in a fit of pique, would suggest they should not come in. We just want to get them to having enough of a financial base that they have some chance to run their own affairs.

We heard minority language discussed today. Putting into general written form the practice of co-operative federalism is just a step up from the previous practice of confrontation as a technique. I recall when the Pearson administration came in in 1963 and announced it was all for co-operative federalism something that we had been following. The first thing that that administration did was to call all the provinces together and put them on one side of the table and the Prime Minister on the other. When you have a murderers row of all the provincial Premiers sitting opposite a new Prime Minister, it is not a fair fight, so it ended up as a confrontation. It all depends on the individuals concerned. If an individual wants to work co-operatively, I think you can succeed. People are tired of this