

*The Constitution*

charter of rights than it started out, it is not the only aspect of this debate.

Before I get into that subject, Mr. Speaker, I want to mention a couple of other matters that give me great pleasure. The first is to offer my congratulations to the co-chairmen of the joint committee on the Constitution on which I had the privilege and responsibility of serving. I think especially of the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) who throughout the proceedings exhibited a great deal of competence, justice and fair play. In fact, he was so objective I thought when it came his turn to speak in the House he might adopt some of the views we had expressed to him. We found that he had other things on his mind, however, and cut off from the constraints on his almost quasi-judicial position, he managed to find something to say in support of the government's views on this particular measure. That did not surprise me but I think it ought to be recorded that while I do not agree with what he said after he ceased to be a co-chairman, with others I compliment him on his very fine deliberations on behalf of all of us as co-chairman of that committee.

I want also to pay a tribute to one of my colleagues, the hon. member for Provencher (Mr. Epp). I think all hon. members will agree that he conducted himself throughout the proceedings of the constitutional committee with dignity, competence and a measure of patriotism to which all of us aspire and can understand.

I want to say something else because there are honest views held in this chamber and in this country which are very different views. The Right Hon. Leader of the Opposition (Mr. Clark) had the courage on October 2 last to say that not everybody agreed with the Prime Minister's (Mr. Trudeau) package and had the courage to say no. The Right Hon. Leader of the Opposition has been proven right in that fundamental decision over and over again during the weeks of deliberations that have taken place. Certainly he has been right about the reaction of the Canadian people.

One of the things that plagued this consideration of a new constitution has been the fact that many members of the public have been critical of politicians for acting like politicians, for being partisan. A letter which appeared in *The Globe and Mail* on February 24, 1981, had this to say:

Much of the debate in the House and elsewhere is blatantly partisan, and (possibly wrongly with the more sincere presentations) gives the appearance of being more concerned with the paramountcy of different levels of government than it is with what a new constitution will or will not do for the people of Canada.

The citizen who wrote that letter has every right to his opinion but I have to say in answer to that citizen and others who have written in a similar vein, being equally critical of all sides, that these deliberations were placed in a highly partisan cockpit. That was the decision of the government. It was a stacked deck. The package was imposed unilaterally in early October on the Canadian people and was not a consequence of 53 years of discussion and deliberation.

It behooves members of the Liberal government who claim that this is something we have been discussing for 53 years to

go through the record and see how much has been discussed for 53 years. They will find very little. It is true there have been discussions about an amending formula but until recently we never heard about a referendum, a charter of rights and other things being discussed. The elimination of the power of the Senate as the last defender of the provinces was never discussed. The shibboleth that this has been going on for 53 years and has to be settled by July 1 is just that, a shibboleth. I would ask all fairminded members on the government side, and there are many, to keep that in mind. I would ask them to pay attention to the fact that although it is true there were meetings, the public was not involved in those meetings until this party, with the help of some members of the New Democratic Party, opened up the proceedings to television and radio.

Most of the discussions that have taken place between the federal government and the provinces were held in secret, as were the documents. It is a mistake to say that we have been debating this publicly for all these years.

**Mr. LeBlanc:** A point of order, Mr. Speaker. I happened to be the press secretary who opened federal-provincial conferences to television with Mr. Pearson in 1968. Since that time most federal-provincial conferences have been held in front of the television cameras.

**Mr. Fraser:** Mr. Speaker, may I answer the minister by saying that some parts of them have been public.

**Mr. LeBlanc:** Most of them.

**Mr. Fraser:** Some of the key parts were not, however. Why are all the arguments taking place about what was agreed upon and what was not? Most of it, or a significant part of it, was not done publicly. Until a few months ago, most people would not have known what the Victoria formula was all about so let us not pretend the Canadian public has had a long period of involvement.

Let us look at the atmosphere which existed when discussion on the resolution began. As I said, it was placed in a highly partisan cockpit. The wonder is that hon. members rose to their duty and the occasion, and that it was as civilized as it turned out. Remember, and I say this to the public which is watching, this was a highly partisan operation.

In the first place, it was created by closure in the House of Commons. That is not a very good way to start a debate about the way we ought to improve the basic laws under which we live. At first, radio and television coverage was not allowed. It was only allowed after tremendous opposition on the part of the Conservative Party and some members of the New Democratic Party. The committee was not allowed to travel. If some members from central Canada wanted to know how people in the west really feel, why did they not travel? I would hate to think it was because someone did not want them to find out. They would have learned a lot. Some of them have not learned yet.