

*Constitutional Accord*

Minister of Canada (Mr. Mulroney) and to each of the provincial Premiers, including the Premier of Saskatchewan, Premier Devine. In this letter I have suggested that it would be very helpful if a number of these ambiguities, such as the ones surrounding the spending power, were cleared up by the courts before the resolution is adopted, either here or in the provincial legislatures. That cannot be done through committee hearings. Committee hearings are important in order to have views expressed.

But there is a mechanism for doing this. In the case of the federal level it can be done by reference case under Section 55 of the Supreme Court Act; and at the provincial level, in the case of Saskatchewan, for example, it can be done under Section 2 of the Constitutional Questions Act, Revised Statutes of Saskatchewan, 1978, Chapter 29. This clause, which we are told was of particular concern to the Premier of Manitoba, Mr. Pawley, who shares the same political affiliation as the Hon. Member for Yorkton—Melville, can be dealt with by a similar reference made under Section 1 of the Constitutional Questions Act of Manitoba, Revised Statutes of Manitoba, 1970, Chapter 180.

I would like to ask the Hon. Member whether or not he would support that idea, which should not in any way delay the parliamentary timetable but would enable us to determine before we do something to the country and to the Constitution what the impact of it will be by definitive, legal interpretation in some of the obvious areas in which there are concerns. Obviously, the court cannot comment on everything in the Accord, but it certainly can take on the interpretation of these specific ambiguities so that parliamentarians and Members of provincial legislatures will know on what they are voting. That is the question.

**Mr. Nystrom:** Madam Speaker, I thank my friend from Montreal for his suggestion. I think it is an example of why we need public hearings. His suggestion is worth looking at and studying. I cannot answer his question off the top of my head. It is one of those things about which one would have to think. I think it is well worth studying. Hopefully, over the summer we will have all sorts of other ideas that will come before the committee and we can build up some kind of national consensus. There are ambiguities. But there are also ambiguities in the Constitution which we patriated in 1982. A great many items in the Charter of Rights are left to the interpretation of the courts. So I say to my friend that his suggestion is worth taking a look at.

I wish to make one more comment about his comments concerning our principles.

**Mr. Johnston:** Which ones?

**Mr. Nystrom:** On the Constitution. I challenge my friend from Saint-Henri—Westmount to go back over any speech I have made on the Constitution back in 1981, 1982 or 1983. I have always spoken about my vision of the country in a similar way to which I did today. I have not changed my spots. I am

not a leopard which changes its spots. We have always believed in a very strong co-operative federalist state. Tommy Douglas spoke about that. Robert Cliche—

[*Translation*]

—who was well-respected in that province often referred to the federalist system of those provinces and perhaps Mr. Cliche had much influence on the Prime minister, Mr. Mulroney, because he began his political life with him. And Mr. Cliche was not alone, there were also Mr. Tommy Douglas, Mr. Allan Blakeney and many other New Democrats who dealt with the necessity of having a co-operative system in this country.

[*English*]

I find my friend's comment, that we do not have principles now because we are becoming very strong, to be rather strange.

The final point I wish to make is that since I am being so co-operative about taking a look at his suggestion, I wonder if he can tell me whether or not he will now support our amendment to have this committee or subcommittee travel to the North. I do not think that our northern citizens, in the constitutional sense, are being treated the same as his constituents or mine.

**Mr. Benjamin:** They are being snubbed.

[*Translation*]

**Mrs. Mailly:** Madam Speaker, I am delighted to hear my friend the Hon. Member for Yorkton—Melville (Mr. Nystrom) refer to Pierre Elliott Trudeau as the man of yesterday. For once, I can agree with him. I find it very difficult to agree with most of his ideas, but that is one on which I can agree. The same is true of the Hon. Member for Saint-Henri—Westmount (Mr. Johnston). I do not often agree with him, but today I do although I find it somewhat surprising, something akin to a Damascus road conversion for the New Democratic Party, because I, personally, have always been consistent.

Why did I get involved in politics? Because I felt that the Liberal approach was one of confrontation and division, and I wanted one of reconciliation. I decided to join a party which was going to address this problem. Today, we are solving the problem, and I am very proud of it. But I wonder where the Hon. Member was when he should have supported Mr. Clark, a man with a deep belief in provincial rights who worked very hard to get a foothold in the province of Quebec because he was determined to defend the provinces' rights. What did the New Democratic Party do, Madam Speaker? It sought Mr. Clark's defeat. It even moved the motion which defeated Mr. Clark's Government. I do not see any consistency there, and I wonder also where the New Democratic Party was when Mr. Stanfield, before Mr. Clark, promoted the same approach of respecting the provinces and decentralizing the Canadian Government because it failed to recognize our regional disparities. The Government did not recognize the rights of Quebecers, for instance, who make up a distinct society while being proud Canadians. Where were they? That is why I agree