

an influx of Upper Canadians felt that since they had bought the territory, they could take over the properties of those who had lived there for half a century and more. That was example number one. This plundering has continued for more than a century. It must stop now if we are to build the nation of the next century which many of us envisage. This Constitution could have addressed this situation much better. What this constitutional process of 1980 and 1981 needs is some visionaries.

I find it ironic that in his introduction of President Reagan in this House on Wednesday, the Prime Minister (Mr. Trudeau) spoke of the Polish people using both revolution and evolution in working out their own destiny, the irony being that his own document for Canada's destiny contains nothing revolutionary and not enough that is evolutionary at a time when Canada cries out for a creative, peaceful revolution. It is basically a dull document.

In 1981, Canada needs the vision of men like John A. Macdonald, George Etienne Cartier or George Brown, or for that matter Thomas Jefferson or George Washington. With all due respect to the excellent and hard work that many members of this House put into our Constitution of 1981, I have seen but one person whom I consider to have vision in the process of nation building. I am referring to my friend, the hon. member for Nunatsiak who has the decided advantage of representing an entire race, the Canadian Inuit who will now be able to participate fully in building their own place in the Canadian nation.

Had the government been adventurous and adopted a daring visionary approach in drafting this Constitution, Canada would have been much better served.

In these few opening comments I have tried to outline briefly my vision of Canada and my reservations about the ability of this Constitution to allow us to attain that vision. I have said that I would have liked to have seen a much different type of package. But I recognize that my desire is limited by the fact that this is a Liberal document. I also recognize that it is a document which has been improved greatly by the work of many opposition members and of many Canadian individuals and groups who participated in the process.

Let me say at this point that I have long believed in the need for our country to have its own Constitution. Since my childhood I have been interested in politics. As a youngster in elementary school I knew that Canada did not have a Constitution. I certainly did not understand the full ramifications of what a Constitution meant, but I knew that we would be better off with our own Constitution. I well remember in my third year political science course reading about such things as JCPC and learning that until 1949 the ultimate court in Canada was not even in our country, that it was a judicial council of the Privy Council of England. I wondered why this was the case.

I am quite receptive to the idea and I favour patriation as soon as possible. It is for this reason that, although I recognize the many limitations of this package, I also recognize its many strengths. I will, therefore, support it.

The Constitution

I should like now to address a few comments to those strengths. First, I want to comment on the matter of unilateral action. I mentioned earlier that intellectually I can support both the need and legitimacy for such action. I also mentioned that I would have liked to have seen a broader base of support. I do not think there is any argument on that point. All of us would like to have seen the premiers and the Tories support the package. But I cannot support a need for unanimity. So long as the premiers insisted on unanimity, the prospects of ever patriating the Constitution were hopeless. To suggest at this time that we go back to the provinces to make one more try for such unanimity is to dream in technicolour. I certainly cannot agree with the premier of my province, a person of whom I have not been especially proud throughout this process who, during his speech in London, was asked by a British Labour MP if the requirement for unanimous consent by 11 governments is not somewhat exaggerated. This Labour MP asked where in the world there is a federal system that requires unanimous agreement. According to press reports, Premier Lyon replied, "The answer to that question is, in Canada". I find it rather amusing that the party of John A. Macdonald, the Progressive Conservative Party at both the provincial and federal level, should be screaming and weeping for unanimity.

● (1550)

The party to my right is using its weapons, rather dubious poll results, which might indicate the majority of Canadians are against patriation. If old Sir John A. had used that approach, if he had waited for unanimity among the colonies and had asked for a popular mandate, where would we be today? I will tell you one thing: we very likely would not be living in a country called Canada as we know it. I refer hon. members to an article in the *Winnipeg Free Press* of February 13 of this year written by a former history teacher of mine, named Lovell Clark of the University of Manitoba. I quote some passages from it:

If Premier Lyon's requirement of unanimity had prevailed in the past the Dominion of Canada would certainly not have been created in 1867, and if not then, perhaps never—

Anyone who knows anything about the crucial events from 1864 to 1867 which culminated in the creation of Canada realizes that the movement for union of the colonies was not a mass or popular movement. It was rather the work of a creative minority whom we refer to as the Fathers of Confederation. At Quebec City in October, 1864, the Fathers drew up the seventy-two resolutions which, with little change, became the British North America Act of 1867. It was very much a Canadian document.

The Quebec Resolutions were not the result of a compact among provincial governments, as is often erroneously alleged. To begin with, the provinces of Quebec and Ontario did not exist; they were created by the same act that created the Dominion of Canada. Instead, there was the single colony of Canada, a union of Upper and Lower Canada formed in 1841. The maritime colonies were represented by members from both the government and opposition benches of their legislatures.

It was no part of the intentions of the Fathers to submit the Quebec resolutions to the people for approval. If they had done so there is little doubt that the proposals for union would have been soundly defeated. The resolutions were debated and approved by the legislature of Canada, but they were never even laid before the legislatures of New Brunswick and Nova Scotia.

In New Brunswick the government of Premier Leonard Tilley was forced into an election on the issue and was badly beaten. An anti-Confederate government