

The Constitution

I am appalled at the report from the travelling duo, John and Mark, or Mark and John, the two apostles to London, the travelling horsemen. When they came back from London they said the parliament of Great Britain might take three or four days to debate this matter. Surely the Secretary of State for External Affairs (Mr. MacGuigan) knows that in the most important debate in recent times, the one concerning the admission of Great Britain to the European Common Market, parliament took only two days to pass the motion. Under their rules, the majority of debates take only one day. The question is put the day it is called, even though it may arise early in the morning of the following day. To suggest there would be three or four days of debate on a resolution coming from Canada merely accentuates the colonial status that the Prime Minister said he was so interested in doing away with when he spoke on television on Thursday night. There would be no need for that if we had a one-page resolution calling for patriation now and on amending formula on the Victoria or Vancouver proposal.

Speaking for myself, I would not be afraid of taking the whole matter to the people if, after a certain length of time for consultation, the premiers and the federal government did not agree on another proposal. We should at least bring the constitution back, though, and have the fight here in the Canadian House of Commons. But there must be consultation with the premiers of the country.

I have pointed out that under our system the civil law and the common law have ridden tandem for 113 years. For the first time, as a result of this proposal, they meet head on. In civil law you have to point to a piece of paper to establish a right, but under the common law that governs nine provinces, you and I, Mr. Speaker, have every right under the sun, except those which are proscribed by law. I am not saying which is wrong or which is right, Mr. Speaker. I do not know whether Canadians realize that this resolution would change what has been the common law for nine provinces into a civil code whereby neither this parliament nor the provincial legislatures but the courts, would interpret and legislate that which affects us all. That is a fundamental problem that should not be discussed further at this time, Mr. Speaker.

Hon. members opposite say we have to redeem a promise made to Quebec because of the vote there last May. Well, I am all for redeeming promises and honouring pledges, but it is very difficult to define what the pledge was. The Premier of Quebec, the leader of the opposition in Quebec, the New Democratic Party in Quebec and many columnists have said that this resolution does not redeem any pledge and that it may, in fact, even exacerbate the situation. Leaving that aside, Mr. Speaker, how can the Prime Minister redeem a pledge to one part of the country while ignoring the larger responsibility to the country as a whole?

The Prime Minister can play with words. We know he is very adept at dialectical debate and evading questions within the circumscription of the question period. He did not answer the question put to him. Section 42, which provides for an amending procedure by referendum, is not a deadlock-breaking procedure or mechanism. The majority of premiers, repre-

senting over 50 per cent of the people of this country, along with members of this loyal opposition, have said, as did our leader that same Thursday night on television, that section 42 is not a deadlock-breaking mechanism. It has the potential to be a hammer-lock on the fundamental structure of this land, the federal system. That is why we cannot support the resolution as it is presently drafted.

● (1520)

In trying to come to some kind of rationale and in trying to move with the momentum that has been built up, albeit well organized over the summer, with the travelling ministers and the ads that we have heard about and talked about, as well as listening to the speakers, including the Prime Minister as he spoke here again today of "Fifty-three years of failure", I suggest there may have been failure and undoubtedly there have been problems in 53 years of federal-provincial conferences. But this country called Canada has not failed for 53 years in spite of a constitutional problem. This country has grown and developed. I hate to admit it but obviously it has developed more so because of the majority government under the Liberal rule. I have to give credit where credit is due, because the Liberals have been in power, unfortunately, for too long. Is the Prime Minister trying to suggest that the 53 years of constitutional problems and failure have made a failure of this country, which has the broadest and best social programs in the world? Canada is a country from coast to coast which so far we have been proud. I say to hon. members that conferences have created problems, as undoubtedly they will again in the future. But 53 years of problems in federal-provincial conferences do not detract from what we have done in those 53 years in spite of those problems.

I ask hon. members to listen to a thought I had when trying to rationalize the present haste to do something. I shall not go back to the 1930s or to read from "The Third Reich" or read statements made by businessmen after the depression and the problems with the mark. Inflation escalated then because the economic problems became so intense and the businessmen, together with the Junkers, were saying "Let us get someone who will do something". Someone came and did something. He did many things. But when there is too much haste one cannot repent in leisure if one is talking about the constitution. The quiet revolution which we all accept has really been the catalyst initially for this momentum of change. The quiet revolution in Quebec started in the 1950s. If it has taken from the 1950s to now—

An hon. Member: The 1960s.

Mr. Nowlan: Say the 1960s, that is even better. But surely if the quiet revolution in Quebec quite justifiably pinpointed problems in this federation that needed to be redressed, why is this government so hasty? In another part of the country, the west, there were other festering sores. But in the 1950s or the 1960s, which is 12 years or 22 years depending on whether you want to date it from Jean Lesage of *maître chez nous* or later, there has been a decade or more of festering sores in Quebec which have finally prompted some action for constitu-