

The Constitution

It is my belief that in order to determine the rules of the game and to determine the rules which will govern us as a people, as distinct from moral issues and other questions, we should consult the people via the referendum mechanism. It is not an idea which would be unique to Canada. I just look at what has happened in Great Britain in recent years, where there have been two such referenda, one on entry into the Common Market and the other on questions of devolution of powers for Scotland and Wales. Therefore, one cannot argue that referenda are not in the British parliamentary tradition.

It is significant that the offer of a referendum was made by the Prime Minister during the negotiations, and it was turned down by many of the provinces. I regret that. What we saw was that the Canadian way, as described by the Leader of the Opposition and many of the provinces, really was the wheeling and dealing among elected politicians and elected governments to determine the rules by which the public and the people of Canada would live. Indeed, one may describe this Canadian way as one which permits some degree of moral cynicism. I am prompted here to reflect upon some of the thoughts of the late American theologian, Reinhold Niebuhr. In his classical defence of democracy, entitled "The Children of Light and the Children of Darkness", he identified the powers of will and persuasion, the forces in society. It was Mr. Niebuhr who said that we may well designate the moral cynics who know no law beyond their own will and interest with a scriptural designation of "children of this world" or "children of darkness". Those who believe that self-interest should be brought under the discipline of a higher law could then be termed "the children of light".

He defines the children of light as those who seek to bring self interest under the discipline of this more universal law and in harmony with the more universal good. One does not want to get overly metaphysical in this very practical constitutional debate, but I think we must view what has gone on in the last little while with some disquietude that, in a sense, the will of the people themselves has been excluded and that there were those who could not put aside their own self-interest and could not seek a higher vision of what Canada was to become in the next century. However, in a sense, they settled for something which is good but which could have been infinitely better.

That is why I find it somewhat distasteful at the moment to see this continual bartering of rights, this continual trading off of native rights or women's rights. Surely the protection of those rights can stand or fall on their own merits. I suppose that I will leave this place a happy person—whether after the next election or whenever—because I was able to play some small role in the historic development of this country in the bringing in of a new Constitution. However, I would exhort all of us to be, in Reinhold Niebuhr's words, "children of light". Let us put aside our self-interest and our petty divisions. Let us try to go beyond ourselves and see the greater view. Let us see the new vision of Canada. Let us try to attain that vision. We can start the attainment of that vision by trying to realize our original objectives.

• (1550)

What we have before us now is good. It is great. It is a source of great joy. But it could have been better.

I am reminded of a story we studied in high school written by Robert Louis Stevenson. I believe the title of the story was *El Dorado*. In life one must always be searching and grasping for a new ideal. We must have a new goal. I entreat members of the House of Commons to see as their goal the complete restoration of the charter of rights as it was originally intended in the resolution so that all Canadians may live in dignity and harmony.

I would exhort all of those who read the House of Commons debates and all those Canadians who follow the issues of the day not to let their politicians off the hook. We have triumphed, yes, but we could have done better.

Let us hope that in the days, the months and the years ahead we will finally achieve our complete goal, the complete entrenchment of the basic rights notwithstanding the notwithstanding clauses, so they can stand by themselves all time and enshrined for oblivious to political change. That is what I am pledging to work for in my remaining time as a member of Parliament. I hope that my colleagues feel the same way.

Some hon. Members: Hear, hear!

Mr. John Bosley (Don Valley West): Mr. Speaker, before beginning my remarks I want to say to the honourable member who has just finished speaking that it would be nice for once if someone on the government benches would admit that we viewed the Supreme Court decision on television. It is difficult to listen to members on the other side almost claiming credit for a resulting process for which all Canadian fought.

Before I came here in 1979, it was my privilege to represent many of the people I now represent at the municipal level of government. During that time I had the honour to be involved, along with others, several of whom are now members in this House representing all sides, in the creation and implementation of a bold new urban plan for the city of Toronto. That plan from start to finish took several years. It involved dozens of compromises, the creative co-operation of literally hundreds of citizens in Toronto and thousands of hours of meetings. At the end, one Toronto wag commented that the plan was perfect and typically Toronto. It had to be good because it displeased everybody equally.

When I left municipal politics to seek this office, I did so with a question mark in my mind. Those members who are familiar with the mind-set peculiar to municipal councillors that the sun rises and sets on one's municipality, perhaps can best understand the doubt as to whether life in the House could ever be as stimulating as municipal work or whether any project here could ever be as important and challenging as our new plan was.

I rise today just a few days short of three years since I left municipal affairs to participate in this debate, a debate essentially about another plan, the proposed new plan for Canada's constitutional future.