

*The Constitution*

senators. Those five or six senators who sit in the upper House representing British Columbia are all from the lower mainland, which represents one-fifth of the land mass of British Columbia. Even if that were different, I do not believe the Senate, since confederation, has ever fulfilled its role.

The prerogative of government leaders to appoint senators has always been abused by all prime ministers, and the other place has failed to assert itself in a way which would have eased the tensions and crises we have experienced from time to time. So, people ask themselves, "What can we do now to correct all these crises which are with us?" The people in the province of Quebec can say legitimately that something will have to happen if they are to stay in confederation. There is dissension in western Canada as well. There are feelings of alienation and, as we have heard in the last few days from some of our friends here in the House of Commons, sentiments of separatism are being expressed even there.

Among the people I represent there is certainly a clear consensus, if not unanimous accord, that we should undertake this first and most symbolic act of patriating the constitution. Some questions come to mind right away which would have to be answered, of course, but certainly all of us want to carry out this symbolic act. The questions to which I have referred include: Who would be the guardian of the constitution when we get it to Canada? Will it be the Governor General, will it be the Queen, or will we choose a president to be the guardian of the constitution? When Britain surrenders its jurisdiction over the BNA Act, what will it mean to our relationship with the Commonwealth? I happen to think that our attachment to the Commonwealth and to Her Majesty the Queen is so strong that not even the present Prime Minister (Mr. Trudeau) would have the gall or the courage ever to tamper with that.

● (2130)

So I say, let us patriate the constitution. Indeed, sir, that is the feeling expressed by all the spokesmen who have participated in the debate so far. I also feel, and the people whom I represent feel, that it would not make much sense to patriate the constitution without finding a key which would unlock it so that it can be amended when we do get it.

We have talked about a number of scenarios and proposals which the first ministers of the provinces have discussed with the federal government regarding an amending formula. There are two proposals in particular which come to mind: the Victoria charter and the Vancouver formula. I happen to think that the Vancouver formula would be much more fair and equitable, as was so eloquently stated by my hon. friends, and indeed it is the expressed opinion of our party that the Vancouver formula would provide us with that key which has proved so elusive.

The resolution which is before the House does more than just patriate and amend our constitution. It is in the area of the entrenchment of rights that I personally have serious reservations. I should like to say a few words about what it means to me and to the many people to whom I have talked to have a charter of human rights entrenched in the constitution.

I should like to agree at the outset that no one, either in this chamber or outside it, has a monopoly on the ideals which have been referred to here—freedom, liberty and human rights. But it becomes painfully obvious that some of us have different definitions of those rights and different perceptions as to whether these rights should or should not be entrenched in the constitution. Are we so naive as to think—as obviously the hon. member for Nickel Belt (Mrs. Erola) who spoke before is—that with the entrenchment of human rights in the constitution we will end all discrimination for all time? Are we so naive as to believe that with this one act we could end all discrimination forever? The hon. member for Rosedale (Mr. Crombie) was probably nearer the mark when he said that the constitution is not the source of our rights and freedoms but that it is the consequence of history in practice. You cannot legislate attitudes of people.

Basic freedoms and human rights have different meanings in different parts of the world. There are constraints to people's rights and freedoms for reasons of space and reasons of geography. The country in which I grew up has at present 66 million people, yet it is only as big as my constituency in north eastern B.C. Obviously in such an environment one cannot exercise the same rights and freedoms as one can in a country like Canada.

Then there is intellectual freedom. Again, not all of us are as mature and free intellectually as some others are. There is also economic and political freedom. Some say there are no political rights without economic freedom, and they relate that to free enterprise. Some of us did not feel free until we started our own businesses, when we became free to make our own mistakes. I was always under the illusion that I was also the benefactor of things I did right. However, that is no longer the case. We are now more of a collective society and we talk more about collective freedoms.

In a society such as ours we have obligations towards our neighbours. This confines our rights and freedoms. There is also the perception of our neighbours which should be taken into account because, as it is said in the Bible, if your neighbour does not think you should be free, then indeed you are not.

In some countries in the western world today there is conscription and people have to join the armed forces and train in case of war because they are close to a flashpoint of international tension. In this country, after we have entrenched our rights and freedoms, we should no longer have to do this. Certainly our Prime Minister has never felt he should ever have to join an army to defend our country. What would the freedoms which we have entrenched in our constitution mean if some day it should be the intention of a country with a different political ideology to attack and overrun our soil and we all sat back and exercised the right, which the Prime Minister seems to have reserved for himself, never to have to take up arms to defend our nation? What would happen to our entrenched freedoms if the communists were ever to take us over? I grew up in a country where there was an entrenched bill of rights which was written by Adolf Hitler. What did