

The Constitution

There is another bit of trickery when you look at Clause 15 in the charter. Before the matter came before the joint committee, the words in Clause 15 were "Everyone is equal". That was quite satisfactory. Then, before the committee, the Minister of Justice (Mr. Chretien) changed the word "Everyone" to read "Every individual". The pretext was that "Every individual" does not include the unborn child. What will that change do to our country? I know what it might well do. In 1979 there were over 65,000 abortions in Canada. If the amendment including "Every individual" passes, then provincial and local governments will have people on their backs asking for abortion clinics. They will say that they need to have an abortion clinic, otherwise they are being discriminated against. The first thing that will happen is that our local hospitals will be providing abortion facilities. The minister of health will be forced to construct abortion clinics. All of this could be avoided if reference to the unborn child were included in the charter. We go to great lengths to protect the whales. I hear members opposite cry out in horror when we want to execute a man who murders a little boy or girl. They say that we must not think of murdering them. Now we will be murdering the unborn children, for that is what abortion is, murder. Can any Canadian in this country, or any member of this House, stand up and say that they would support that type of thing?

Section 12 says that everyone has the right not to be subjected to any cruel or unusual treatment or punishment—capital punishment—with a view to the fact that the court would decide that executing a man or woman who deliberately plans and takes the life of another human being would be cruel and unusual punishment. Well, here again, with these kinds of words they are trying to fool those who believe that we need capital punishment in this country and, that it is the basis of all our laws. We punish a child for doing something wrong. Then we punish him more severely for doing something more wrong. Then if he does the ultimate crime, he should have the ultimate punishment, death, if he deliberately plans and takes the life of another human being. Many problems will arise in this country through that.

● (1750)

As one man said to me, in Standard, "I wonder how those who are opposing capital punishment would feel if their little girl were tortured, deliberately abused, mutilated and killed following a sex act, a little girl who could not help herself." Do we say that man has a right to live? That man has earned death and he should be executed. But in our charter of rights we are saying, "Oh, no. That would be cruel and unusual."

Then we come again to this matter which I consider tricky, this matter of aboriginal rights. Why does the government not define "aboriginal rights"? For years, the Prime Minister would not accept aboriginal rights. He said, "I don't know what they mean." He said in this House, just weeks before this was put in the charter, "I don't know what aboriginal rights mean. Define them, and then I might put them in the charter." But finally he put it in the charter without defining it. What does it mean to the Indians across Canada, to the status

Indians, to the non-status Indians, to the Métis, to the Inuits and to all the other groups? Does it mean anything? I am asking, does it mean anything? If it means something, define it. Be fair to our Indian people.

For years and years we have been unfair to our native people, the Indians and the Métis and Inuits. We have shoved them off in reserves. We have shoved money at them and we expect them to live under conditions of starvation. We will not let them do this and we will not let them do that. We confine them in the Indian Act. We send them gifts of money which they cannot receive properly even then. We send them money for water and sewerage, and we send it to them in December when one cannot even think about digging on the prairies or putting in water and sewers. It is unfair, and here we have the perpetuation of the same thing. Our Indian people and our Métis people and our Inuits have a right to fairness; but they are not getting it if all we do is simply put aboriginal rights in the charter, or if we merely say they will have aboriginal rights. They want more than that.

Then we come to the referendum. Again, there is trickery on the part of the Prime Minister. He blatantly fools the people by saying, "We'll let the people decide," knowing very well that over half the people are in central Canada. I object to being a second-class citizen because I was born in Alberta. I object to the people of P.E.I., Nova Scotia and New Brunswick being second-class citizens, or the people of Newfoundland or Saskatchewan, Manitoba or B.C. being considered that. We are Canadian citizens. We each belong to a province. Each of those provinces should have equal rights. They are provinces. If we want counter balances, let us have the same number of people from each province in the Senate. There should be a Senate reform so that there can be a counter balance. However, let us not make second-class and third-class citizens out of people of Canada. How can the members of the NDP go back to Saskatchewan and British Columbia and tell their people that they are now second-class citizens? And Manitoba—

The Acting Speaker (Mr. Ethier): Order, please. I regret to interrupt the hon. gentleman, but the time allotted to him has expired.

[*Translation*]

Mr. René Cousineau (Gatineau): Mr. Speaker, it is for me a great honour to take part in this historic debate on the future constitution of Canada. In my intervention I will not pretend that I have invented every idea set forth thus far, that I am saying something new or that I am coming up with new arguments; although I do not hold a copyright I did associate myself with these ideas over the years. The fact remains, Mr. Speaker, that repetition is the only way to make sure that the people of Canada have had every opportunity, every chance to make up their mind on the patriation of the constitution.

Nor do I claim to have a monopoly over truth, because for us the absolute very seldom exists. Today I am expressing my opinion honestly, openly, without duress from or obligation