

The Constitution

heritage which all of us in this House have solemnly sworn to protect and to foster. It is this heritage which the resolution we are considering acknowledges. However, while our political system was based on principles of accommodation and amelioration, I believe these principles have tended to become blurred over time, to a large degree as a result of decisions taken by the Privy Council in London prior to the establishment of the Supreme Court in Canada, decisions which dramatically altered the confederation of our Canadian founders.

I sincerely believe we must move now to establish an alternative to unanimity as the decision rule for resolving fundamental national conflicts; we must move now to re-establish the fundamental principles upon which our confederation was founded, we must move now to arrest the drift towards regionalism and alienation which threatens the national interest. I sincerely believe that if we fail to do these things, if instead we opt for inaction in the name of immediate harmony, we will certainly see the dissolution of Canada in the future.

Never before, since 1867, have Canadians faced such an obvious choice. We can either act now to establish effective means to modernize and maintain the currency of our system, or we can watch the system break down under the weight of its current inflexibility.

The Leader of the Opposition (Mr. Clark) has postulated that we run the risk of breaking up this country by affirming the resolution put forward by the Minister of Justice. Yes, unilateral action is potentially divisive. Yes, there is a risk of discord.

However, if this is the case, how could the Leader of the Opposition, as he supposedly does, and as I believe he does, put the motion yesterday to unilaterally patriate and, not only that, but to impose an amending formula without any discussion between the government at the federal level and the provinces?

What is the basis of the risk that is at the bottom of the fear of the Leader of the Opposition. Is it unilateral action? Is it the imposition of an amending formula? That cannot be the basis of the fears of the Leader of the Opposition. His motion put forward both unilateral action and an amending formula.

The resolution before the House calls for an amending formula of unanimity for two years, during which time discussions can take place between the federal government and the provincial governments. We can come to an agreement on an acceptable amending formula. At the end of that time, the Victoria formula is there. If it is not agreed to among the provinces, the provinces can put forward an alternative. Those two alternatives can be placed before the people of Canada for their decision.

That is a much more reasonable and conciliatory approach than simply to say, because of what is assumed by hon. members opposite, that the Vancouver consensus is what all the provinces want, therefore we will impose it on them. That does not seem to be a reasonable thing to do. Therefore, I have

to say that it cannot be the amending formula that is the cause of this great risk of dissension.

I looked at the speeches by the Leader of the Opposition, his opening speech and the speeches he made involving questions of privilege and so on. I ask myself: is equalization the basis of the risk? I noticed in the statement made by the Leader of the Opposition he said equalization was, in fact, a desirable thing. If it is so desirable, I wonder why it was not included in his motion yesterday. I believe the Leader of the Opposition sincerely thinks equalization should be in the constitution.

I therefore have to assume from his statements that equalization is not the basis of the risk which is going to tear this country apart. If it is not unilateral action, not the amending formula and not equalization, there is only one thing left. That is the charter of rights. I would have liked to have heard more discussion on the charter of rights, if that is the basis of our difficulty. If it is, why, in the last two and a half weeks, have we heard so little discussion on the charter of rights per se and where the problems are.

The hon. member for Vegreville (Mr. Mazankowski) made some interesting points this evening. He brought forward some rational observations. Hon. members opposite have seen me sitting in the chamber listening attentively to what they have to say. However, I have not heard a great deal of discussion on the charter of rights, which I have to conclude is the basis for the disagreement. Universal imposition of a charter of rights has to be the basis of the great risk which is going to tear the country apart.

I find some other difficulties. This evening the hon. member for Vegreville indicated his knowledge that the Indian people oppose unilateral patriation without guarantees of their fundamental rights. How could the hon. member for Vegreville last night support the motion put by the Leader of the Opposition to patriate the constitutional unilaterally without having those rights entrenched in the constitution?

Some hon. Members: Hear, hear!

Mr. McDermid: We will put them in when we get it back over here.

Mr. Evans: The hon. member says they will put those rights in when we get them back here. The hon. member for Vegreville made the point that the Indian leaders have said they do not want patriation at all unless those rights are in the constitution, guaranteed before it comes back. But knowing this, saying he supports that view, he supported the motion last night of the Leader of the Opposition.

We believe the resolution before this House is a course of action that holds far less risk than the alternatives proposed by the opposition of either no action or actions which would ultimately further regional separations. The government proposes unilateral action but this action is not divisive in itself since it does not affect the distribution of powers between the federal and provincial governments. It does provide, at last, a clear means for resolving our future disagreements and for clarifying our past disagreements which have been with us for