The Constitution

which was so humiliating before. Before, the Prime Minister first proposed that we act now. He said it was essential that we sever this tie immediately because it was humiliating and underminded our sense of nationhood. Yet when it served his purpose to get his changes made, and when he said he would not want to do it in Canada because he did not think he could do it by seeking consent or agreement through his amending formula, then he had no hesitation at all in using those mechanisms for his purposes.

Some hon. Members: Devious.

Mr. Beatty: Who can credit the government with dealing with the Canadian people honestly when we are dealing with this sort of argument?

I want to come for a minute to the amending formula that the government is proposing. The government's whole argument relating to the charter of rights is very informative when we look at the government's amending formula.

The Minister of Justice and the Prime Minister have said the reason they have to go to Great Britain to have those amendments made in Great Britain when they should be made here in Canada is that if we simply patriate with an agreed upon amending formula, with their amending formula—even if we cannot agree upon one, even if they impose their amending proposal—it will be impossible ever to have a charter of rights in Canada. Never, under the government's amending formula, would it be possible for Canadians to have a charter of rights which the Prime Minister and the Minister of Justice say are self-evidently desirable for Canadians, and are desired by Canadians from coast to coast. Indeed, when the Prime Minister spoke on March 23 he listed eminent authorities in support of his charter of rights. He listed my colleague, the hon. member for Provencher (Mr. Epp); he listed the Progressive Conservative Party; he listed the whole of the House of Commons; he listed 91 per cent of Canadians; he mentioned the late John G. Diefenbaker; the hon. member for Burnaby (Mr. Robinson); Tommy Douglas; Premier Davis; Premier Hatfield; Premier Lougheed; Premier Peckford; Claude Ryan and, not stopping there, he mentioned Pope John XXIII as being in favour of what he was proposing.

● (1630)

Notwithstanding the fact that two of the people he mentioned died before he made the proposal; that by and large the endorsements were given well before that and that they were not endorsing his constitutional proposals, and notwithstanding the fact that many of the people who were speaking were talking about the concept of an entrenched Charter of Rights and not what he is proposing, which is seriously flawed, he says there is this massive support. Who am I to deny what he says about this overwhelming support for a charter of right in Canada?

Why not do it here, Mr. Speaker? Why would his amending formula not be adequate to get something which he says has such massive, self-evident support?

What the Prime Minister is asking us to do is to write for all time, into our Constitution, an amending formula which he says could not be changed and for which he says there is massive support in Canada.

If anything should have given the Minister of Justice pause as he unleashed his tirade today and attacked our proposals for an amending formula, it should have been the fact that both he and the Prime Minister have said that their proposed amending formula would not be adequate for making the changes they want.

I want to deal as well with some of the sarcastic arguments made by the Minister of Justice with regard to property rights. He said that under the Conservative proposal, what we would have is a situation where four of the provinces would be able to veto the inclusion of property rights, for example, in the Constitution. Under his proposal, one province with a veto, such as Ontario or Quebec, could do that. They would not even need the position that has already taken the Prime Minister and himself where they put the Liberal party on record as opposing the inclusion of property rights in the Constitution at this time. Let us not have this sort of sophistry.

They raised the spectre, as did the hon. member for Broadview-Greenwod (Mr. Rae), of a checkerboard Canada, of rights that would vary from province to province.

The minister dimissed what my colleague, the hon. member for Provencher, said last night about the Quebec pension plan and the fact that we probably would not have had a Canada Pension Plan had it not been for the opting-out principle which the late prime minister Pearson had accepted. Does the Minister of Justice himself not participate in the Quebec pension plan and does he not feel that it is a good idea? He said that this is different because it is not a constitutionalized provision; that it does not deal with people's rights but simply federal spending and that is O.K., but that when it comes to rights, there should not be differences from province to province.

I would say that if I were from Newfoundland and I believed in the dissentient school system, which has been constitutionally protected since Newfoundland entered confederation, I would be seriously worried about what the Prime Minister and the Minister of Justice, with the support of the hon. member for Broadview-Greenwood, would be doing about the dissentient school and the right to have schooling in the religion of choice. That is a constitutional right which is protected for one province and not for others. The principle being followed here by the Liberals and the NDP, is that when it comes to rights, unless everyone has exactly the same constitutionalized right, no one should have a constitutionalized right. It should exist for no one. That is what their amending formula says.

The hon. member for Broadview-Greenwood obviously had not read our constitutional proposals when he unleashed his attack upon them. He spoke about a checkboard Canada as it related to rights. He did not realize that the amendment we put before the House today would not allow opting out on the charter of rights. We would not have that. Where there would be opting out is in other areas which, since the time of