

their respective governments those premiers signed the Meech Lake Accord. So the honourable senator is really talking nonsense on that point.

**Senator Molgat:** Honourable senators, I object to that statement. I am not going to sit here and have the minister say that I am talking nonsense on what is an absolute fact. The Province of Manitoba did not sign that agreement.

**Senator Murray:** Honourable senators, the then Premier of the Province of Manitoba, on behalf of the then government, signed that agreement.

**Senator Frith:** And agreed to submit that to the legislature. And did he not withdraw?

**Senator Murray:** Quite right. The honourable senator invites me to condemn the Government of Quebec for having invoked the "notwithstanding" clause. I was invited to do the same by the media yesterday or the day before. I will give the honourable senator the same answer I gave then. The "notwithstanding" clause is part of the Charter of Rights and Freedoms that the honourable senator is so proud of and which was passed by the Parliament of Canada in 1982. The "notwithstanding" clause was accepted—

**Senator Frith:** Lougheed proposed that.

**Senator Murray:** —by Mr. Trudeau as the price of patriating the Constitution of Canada with nine provinces out of ten on board. Anyone who believes that individual rights and freedoms should be protected from governments has to believe, as the Prime Minister said yesterday, and as I repeated, that the existence of a "notwithstanding" clause is incompatible with that. It is incompatible with the existence of a Charter of Rights and Freedoms; nevertheless the "notwithstanding" clause is there. It is a legitimate part of the Constitution of Canada, which was passed by the honourable senator and his friends.

**Senator Frith:** As the price paid to Premier Lougheed!

**Senator Murray:** That was the price paid for patriating the Constitution with nine out of ten provinces on board.

As I said yesterday, I would not rush to condemn a government for using a disposition that is in the Constitution. Further to that, I said that it is not at the top of our agenda, as a government, to try to negotiate the "notwithstanding" clause out of the Constitution. There are other matters that we have agreed must be on the agenda—Senate reform, aboriginal rights and so forth.

Honourable senators had better get used to the fact that the "notwithstanding" clause is going to be there for a long time. The federal government has not had recourse to it, but the Saskatchewan government has had in a labour case and Quebec has had in one or two cases.

**Senator Molgat:** Honourable senators, the minister says that I asked him to condemn the Province of Quebec for using the "notwithstanding" clause. Not at all! I did not ask him to condemn anyone. I simply asked him the question: Does the minister agree with what the Province of Quebec has done, yes

or no, because the minister has made some very damaging statements regarding the Premier of the Province of Manitoba and the actions that he took? I am not asking him to condemn anyone.

Does the minister stand by the statements that he made with regard to the actions of the Premier of Manitoba in ceasing to hold hearings in that province on the Meech Lake Accord?

**Senator Murray:** Honourable senators, let me say that I find the position of the Premier of New Brunswick a good deal more congenial. While he continues to hold his reservations, he has announced that New Brunswick will be sending the—

**Senator Molgat:** Answer my question!

**Senator Murray:** My honourable friend should relax. This is very bad for his blood pressure.

**Senator Molgat:** The minister should hear the statements that are being made in Manitoba.

**Senator Murray:** I find the decision of the Government of New Brunswick to be more congenial and more constructive. It has decided to refer the Meech Lake Accord, which had been signed by Mr. McKenna's predecessor, to a legislative committee for public hearings.

**Senator Perrault:** Tell us about the government of Mr. Bourassa!

**Senator Murray:** Do I stand by the statements that I made with regard to the decision of the Government of Manitoba? Yes, I do, and I can provide, tomorrow perhaps, or later this evening, if my friend is interested, a transcript of the remarks that I made to the media yesterday on that subject.

**Senator Molgat:** One final question, if I may. The Province of Manitoba is committed to holding public hearings on constitutional changes.

**Senator Murray:** Oh!

**Senator Molgat:** That was a decision made by the Province of Manitoba some time ago.

If there are going to be constitutional changes, there must be public hearings. Does the minister believe that the Province of Manitoba should now proceed to hold public hearings on the Meech Lake Accord?

● (2140)

**Senator Murray:** Honourable senators, the answer must be evident. The then Premier of Manitoba committed his government to placing a resolution before the house. That commitment was respected as of last week by Premier Filmon, who made a very eloquent speech, I may say, on the subject of the importance of Meech Lake to the future of Canada; and, if I may be permitted to say so in parentheses, the reasons that he invoked in favour of Meech Lake last week are as valid today as they were then. If their rules provide, as my friend tells me and as I think we all recognize, that public hearings must follow the presentation of a constitutional resolution in the House, then, of course, public hearings would be an essential part of the commitment.