

The Constitution

Some hon. Members: Hear, hear!

Mr. Clark: That is why we have a basis of agreement here.

If I could speak of the one provincial government of the party which in this House agrees with the Minister of Justice, the Premier of Saskatchewan, he has indicated that he too would find the Vancouver amending formula acceptable. Those are the facts, and the Minister of Justice, if he has any respect for the truth or the federal system, should accept that fact and act on it.

Some hon. Members: Hear, hear!

Mr. Clark: Then, with the will of Parliament clear, as it could be if members rise above party and vote to support this amendment, and with the will of the premiers clear, we can work quickly on the details of the Vancouver formula, to which I will come later. Then we can work on amendments which will allow us to begin work immediately to change our constitution here in this country. If that happens, if the House of Commons is prepared to rise above party matters and is prepared to accept this motion which allows the House of Commons to bring our constitution home today with an acceptable amending formula, I believe we can then start immediately, we can start this week. Instead of bringing in closure which will divide this country, we could start this week to have officials sit down and discuss the wide range of amendments Canadians might want.

● (1520)

The chairman of the premiers, Mr. Lyon, has suggested that it would be useful to meet again, that we should not write off all the work done this summer, that we should not let the failure of the September conference mean the failure of constitutional reform. He said that there should be more meetings, there should be more discussions. How much more fruitful it would be if those new meetings and new discussions occur in the context of agreement, not only on having our constitution here, but on the formula by which we can have it here? That agreement exists; that agreement exists.

Mr. Chrétien: Not true.

Mr. Clark: It was accepted in principle by all of the first ministers. The Minister of Justice says that it is not true. Perhaps his boss, perhaps the Prime Minister does not agree with it, but every premier does. Every premier is prepared to accept that formula and to use it to bring the Constitution of Canada home.

Mr. Chrétien: No, no; it is not true.

Some hon. Members: Hear, hear!

Mr. Clark: If the atmosphere is positive we can get agreement on constitutional change. If the atmosphere is negative in this country, and it shows that there is a real risk of it becoming deeply negative on this question, on energy questions and other questions, then we will not get agreement on even

the simplest kind of changes. That would set back deeply and dangerously the process and the promise of constitutional change in this country. If this motion is accepted, if we bring our constitution home with the Vancouver formula, then we will have both the momentum and the means to achieve Canadian amendments to the Canadian Constitution right here in Canada.

Some hon. Members: Hear, hear!

Mr. Clark: Ever since the end of the first ministers' conference we have been calling for precisely that approach—partiate with the Vancouver consensus amending formula and then make changes in the Canadian Constitution in Canada by Canadians. In our view it is undeniably the way to make constitutional change a source of bringing Canadians together rather than driving them apart, because they will be driven apart, and they are being driven apart by the current proposed constitutional resolution of the government.

Our views on the dangers for federalism in the proposed resolution are well known, and we intend to keep on making them as forcefully as we can. If we are gagged in Parliament by the use of closure, we will carry our case to the country. A majority of provinces are now testing the constitutionality of this proposal in the courts. It is not just a few provinces but a majority of the provinces of Canada. Premiers are attacking premiers. Federalists in the province of Quebec are disastrously divided, to the joy and to the benefit only of the separatists of the province of Quebec. Western Canadians and Atlantic Canadians justly resent the second-class status and the third-class status of their provinces inherent in the Prime Minister's redesigned Victoria amending formula.

All provinces have just cause to fear the dangers to the basic federal character of Canada in the proposed section 42 where a federally-written, federally-timed referendum could allow Ottawa to go around the other order of government entirely. Plans for provincial referenda multiply. What kind of a situation will we have with different levels of government asking different questions on the same subject of the same people, and getting different answers? What will that lead us to here in this country? It will lead us to chaos in this country, constitutional chaos in this country.

Some hon. Members: Hear, hear!

Mr. Clark: We have no need for that chaos because we have the means here for agreement. There is a Canadian will to have our constitution at home. There is a Canadian way to have our constitution at home in the Vancouver amending formula. What is needed is a willingness on the part of the Liberal party to rise above narrow partisanship and to support this principle which will let Canadians have their constitution home. Why does the Liberal party oppose having Canada's constitution home this week? Why does the Liberal party oppose the amending formula which is accepted by all the first ministers? Why is the Liberal party standing in the way of the people of Canada having the constitution of Canada here at home so we can amend it, live with it and work with it in