

country is that we are not a people who solved problems and differences of opinion by civil war and revolution. Canada is unique, and that was really the burden of what I wanted to say when I was going through the historical development of the country. We are unique, we do not move unilaterally, one level of government against another; and we do not impose one level of government against another.

Some hon. Members: Hear, hear!

Mr. Crombie: In short, unilateralism is unacceptable because it is the exact opposite of the federal system. That is why we oppose it.

Let me deal finally with that old, old question of process. The government and the New Democratic Party are saying: Don't worry about the means, you will love the end. Every time human beings decide that the means will justify the end, that is the time ordinary people get hurt. All political questions at root are moral questions and anyone who has read history knows that the day you let a bad means attempt to achieve a good end, you will rue that day. This country will not then be looking to the future that the hon. member for St. Paul's talked about, it will be looking to a number of years of unnecessary bitterness and division. We would like to say to the government: Think one more time.

An hon. Member: Fifty-three more years.

Mr. Crombie: My friend from Toronto says 53 more years. I was reading a book called "Miracle in Philadelphia" which concerns the American bill of rights. It took them a long time, many years to adopt it. If things are worth doing, they are worth doing well. We have not had 53 years of failure. This country had grown and grown well over the last 53 years.

I am saying that what the government can do is go to Britain and say: Send it back, thank you very much. Everyone agrees on that. I think you can get some agreement on the amending formula. The charter needs some work, even the government will admit that. My friend, the hon. member for Lincoln (Mr. Mackasey) kept saying: we have three years before it is in practice anyway so we can tidy it up here, turn a spigot there. Well, he wants to pick up the votes now and pay later. I can understand that but I do not applaud it.

Let me conclude, Mr. Speaker, by saying that the process over the past four months has been a very important one for this country, and if the government persists in its course of action we will be in greater difficulty than it can imagine. The three instincts that Canadians had long before this government came along are diversity, rights and consensus. They will be here long after this government is gone. Thank you, Mr. Speaker.

The Constitution

Some hon. Members: Hear, hear!

● (1720)

[*Translation*]

Mr. Dennis Dawson (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I should like first of all to congratulate the hon. member, not only on his performance in the House today, but especially on the rather remarkable work that members opposite as well as government members have done in committee. On the other hand, I am rather disappointed to find that after many hours of work and sound suggestions by the hon. member for Rosedale (Mr. Crombie), he is not ready, at a rather crucial moment, to support a charter which has been improved, thanks to his co-operation.

Mr. Speaker, I was reluctant to speak at this stage of the debate on the government resolution because several points I raised in the first part of the debate last December have been discussed and amended by members of the Special Joint Committee on the Constitution of Canada, and also because some aspects of the constitution were not perfect. As was so aptly pointed out by the Minister of Justice and Minister of State for Social Development (Mr. Chrétien), nobody has to be perfect. In the speech I made in December, I drew to the attention of the House some weaknesses of the Canadian Charter of Rights and Freedoms. Today, in light of the report of the special joint committee, I note that several of those weakness have been corrected. For example, in Section 1 of the first resolution, the individual rights were restricted as follows: "It is subject only to such reasonable limits as are generally accepted in a free and democratic society within a parliamentary system of government." As a result of some amendments, the section now reads as follows:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I suggest that this change is consistent with the many requests made by human rights groups and will prevent any discriminatory action not only on the part of provincial governments—for the restraining effect of the charter does not apply exclusively to provincial governments—but also to the federal government. The new Section 15 which deals with Equality Rights is an improvement over the old Section 15 which dealt with Non-discrimination Rights and which read as follows:

Everyone has the right to equality before the law and to the equal protection of the law without discrimination because of race, national or ethnic origin, colour, religion, age or sex. This section does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged persons or groups.

The section as amended is much more specific, because it adds discrimination based on mental and physical disability and states that every individual is equal before the law and has the right to the equal protection and equal benefit of the law.