

sus, and having the constitution brought home quickly with consensus and the opportunity to have Canadians make alterations, then that is why they should support this motion.

I had an opportunity the other day to deal with some of the matters which concern me about the government's position on the question of the constitution. The Minister of Justice (Mr. Chrétien) had not had an opportunity to review my remarks, and he indicated an interest. I would like to offer some of those remarks now because I think they bear on the acceptability of the motion before us.

It has become increasingly clear—and I think it is why the government is introducing closure—to the people of Canada that what is before them and this Parliament is not merely the bringing of the constitution home from Britain. If that were the case, then everybody here would support the motion, and that should not go unmarked. If that is all that we are talking about, the motion could be adopted today.

However, if we are on about something other than bringing the constitution home, then there are some problems, I think, of which Canadians are becoming increasingly aware. I want to speak about those problems. There are some Canadians who wonder why, given the budget of the Minister of State for Multiculturalism (Mr. Fleming) to explain a simple matter of advertising and patriotism, some provinces are opposed.

Why is it that six provinces are opposed to the proposal, two support it, and two are not sure? Why are six provinces opposed? First of all, it is because the whole thing is being imposed upon them. The constitution of this country was obtained by provincial consensus, and that is the way in which we operate. That system is being changed by imposition. Second, it creates for some provinces a second-class status. That is very important. Is there a member in this House who would like to stand up and say honestly to their constituents, "I am willing to accept that my province, when it comes to constitutional amendments, is second-class"? That is what the government's resolution says. That is what the members of the Liberal party and now my friends in the New Democratic Party are willing to accept, and it is also why a number of people are not willing to accept it, because it creates some provinces more equal than others.

The third thing was stated earlier by the hon. member for Yorkton-Melville (Mr. Nystrom), who said that the question of equalization between provinces is now being used by this resolution to divide the provinces.

Fourth, the problem of natural resources, particularly as it affects the east coast and the west, is not adequately dealt with in this resolution. These are not points which I have made up. Indeed, members of my party and my leader have spoken well on all of these points.

Let us check these points again. The reasons why the provinces are opposed to the constitutional changes proposed by the government are: one, that it is being imposed; two, that it creates second-class provinces; three, that it changes and destroys in large measure the good will created by the equalization formula; and fourth, it continues to make uncertain the

opportunity of the provinces to look after themselves in relation to the natural resources, either offshore or within their land boundaries. Those are the reasons.

The second reason why more and more people are becoming concerned lies exactly in the field upon which the Minister of Justice decided to speak loudly. I say loudly because he almost shook the benches over here, not with the wisdom of his remarks, but with their sheer volume. I do not blame him because there is an old saw "if your arguments are weak, shout louder".

Mr. LeBlanc: Your own leader shouted him down.

Mr. Crombie: I think it is fair to say that there are many people who have difficulties with the question of the charter of rights which are good and legitimate. My great difficulty is that there are many people on the government side who simply say, "Here is the charter of rights; it is good for you, take it like a pill". I would like to offer eight problems which have been raised to me by people in this country who represent groups in this country that are wronged and need to be dealt with before we adopt any charter of rights. They are not minor matters.

First of all, the charter of rights as proposed by the government changes our understanding of where our rights come from. The fundamental philosophical basis for the rights which are being offered in the government's proposal says that they will be guaranteed by the constitution. It assumes that our rights come from government. Our rights do not come from government, and they never have come from government. Our rights come from ancient statutes, laws and government processes of 1,000 years, and certainly from the Quebec Act of 1774. No government, particularly this government, has the right to arrogate to themselves that they give Canadians rights. It can destroy or disturb those rights, but it does not give those rights. They belong to Canadians; they belong to us. The government's job is to protect those rights.

The second problem with the charter of rights deals with the War Measures Act and the Emergency Powers Act. If one looks at the debates in the House of Commons from 1947 to 1950 when it dealt with the charter of human rights from the United Nations, and the debates in 1961 when it dealt with the Right Hon. J. G. Diefenbaker's bill of rights, there were Liberal members on both occasions who argued that it was absolutely essential to change the War Measures Act and the Emergency Powers Act and to change the Criminal Code so that it could deal with insurrection and so that the War Measures Act would not be operative in peacetime. It is a good principle and a good thought.

The Criminal Code should deal with this matter to alleviate the constant threat of the War Measures Act and the Emergency Powers Act. The government knows this, but it does not want to deal with the matter because it upsets the advertising campaign. If it really wants to do something, then it should make this change.

The third problem is language. Much of what we have done here in the last couple of weeks and, indeed, in the last number