

*The Constitution*

tection of the French language requires cutting back of some of the rights of the English minority established in Quebec. This contemptible nationalism has brought even more urgency to the need for linguistic guarantees, and the attitude of Mr. Lévesque and his friends during the recent constitutional talks has emphasized the dishonesty of such a policy.

The former protector of the French language is now turning his back on the French minorities outside Quebec. This agitator has betrayed his provincial colleagues by refusing to sign the constitutional accord. This fanatic, whose slogan is *Je me souviens*, has abandoned his own province by renouncing to the veto of Quebec. Why is this, Mr. Speaker? Because this man and his party are determined to sabotage Confederation whatever the cost, even at the risk of weakening the position of their own province in future constitutional debates. If Quebec is now alone, Mr. Speaker, the Quebec premier is to blame.

[English]

This is why I am so happy, even in perhaps the most modest way, that we have entrenched French language rights in the constitutional Accord, that we will at once be making our peace with those of our French-speaking brothers and sisters who have gone before us, who suffered discrimination and found that their language and culture were suppressed. My only sadness is that we have not quite given in this resolution the same rights to the English minority of Quebec; almost but not quite. But I believe what we have done for the English minority in Quebec will go a long way toward ensuring that the rights of English-speaking Quebecers will be safeguarded in the years ahead. It is my hope—and I think it is the hope of everyone in the chamber—that at some point, hopefully very soon in the future, when there will be an end to the independent party in Quebec, a federalist party once again will be in power, will come into the accord and join the other nine provinces and the federal government to preserve these rights and to entrench them for all Canadians.

I would be remiss if I did not say a few words about Section 133 of the present British North America Act and about my profound regret that the Premier of my province, notwithstanding the fact that he showed great vision in trying to reach a new constitutional accord, notwithstanding the fact that he supported our party which introduced the original resolution, has failed to extend these basic rights to the province of Ontario. That is something else for which we as Ontarians should fight in the years ahead. At the provincial level, and even at this level, by using the power of our influence as Members of Parliament, we should prevail upon the government of Ontario and upon subsequent governments or premiers of Ontario to make this last great gesture in the name of language equality in this country.

● (1540)

I just want to reflect on the process that we have gone through in the last year or so. I have been very caught up in that process and, like many hon. members on both sides of the House, have worked extremely hard both day and night, because this was not just another piece of legislation and not

just another parliamentary act. This was something more profound. Very seldom in the lifetime of an individual can he or she make or hope to make some contribution to history. All of us in this chamber have made such a contribution in the past year, despite the differences in our opinions. I think it is a testimony to the greatness of our parliamentary tradition that we were able to come to an agreement in this country without bloodshed, without brother and sister fighting against each other, and without civil strife.

Let us look at other countries in the world to see how they acquired their constitutions. Even Great Britain went through some bloody times, going back to Cromwell, going back to the chartist movement in the 1830s, and the social protests in that country during the development of their constitution.

We have indeed been fortunate. We should indeed be proud that we have been civilized enough in this country to fight with every last ounce of our strength, but with words and not physically, not fighting with each other in a manner which would cause irreversible bitterness. That is why the process which went on in the last year was so rewarding and monumental.

I think especially of the deliberations of the Joint Special Committee on the Constitution. Day in and day out, this committee's deliberations showed that democracy was indeed alive and well in our country. Many Canadians and many groups were represented and were able to express their point of view. Hundreds of briefs were received. The televising of those committee deliberations had a lot to do with provoking thought on the part of individual Canadians who otherwise would not have involved themselves with this question. We then saw the matter go to the Supreme Court. I would not want to reflect on judicial decisions, however, I must say that the decision that the original constitutional resolution was not constitutional in the conventional sense must be accepted. I think that the Supreme Court really did not address the problem of the definition of proper conventions. It said that there had to be consent of the provinces.

However, I want to draw Your Honour's attention to a statement made by the noted constitutional professor, the late E. V. Dicey, in his well known work entitled "The Law of the Constitution". He stated that "the fundamental dogma of modern constitutionalism" is that "the legal sovereignty of Parliament is subordinate to the political sovereignty of the nation". The Supreme Court of Canada asserted that the original resolution, as I stated, was not constitutional in the conventional sense and that the political sovereignty of the nation was defined as a substantial consensus among the provincial and federal governments.

As an individual Canadian, I am offended that convention is defined in those terms. It is for that reason that I have always been of the view—and I stated it in the House many years ago in a debate on a referendum bill, Bill C-9, in the second session of the Thirtieth Parliament—that political sovereignty should be defined as the will of the people as expressed by themselves rather than by elected politicians.