



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, November 30, 1995**

**Speaker: The Honourable Gilbert Parent**

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# HOUSE OF COMMONS

Thursday, November 30, 1995

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

[*Translation*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to seven petitions.

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[*English*]

### CRIMINAL CODE

**Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP)** moved for leave to introduce Bill C-363, an act to amend the Criminal Code (juvenile prostitution).

He said: Madam Speaker, it is my pleasure to rise today to introduce this private member's bill for first reading. It provides that a Canadian citizen be tried in Canada where that citizen has sexually exploited children overseas.

We all know there is a multibillion dollar sex trade, particularly in Asia. Other countries, in particular the United Kingdom and Sweden, have taken measures to ensure that their citizens who commit crimes against children, which is surely one of the most heinous crimes we can imagine, are tried in their home country.

Article 35 of the UN Convention on the Rights of the Child, which Canada was instrumental in implementing, states that governments have the obligation to ensure that children are protected from all forms of sexual exploitation.

I recommend the bill to the House. I congratulate an organization called End Child Prostitution in Asian Tourism, which has worked very hard to ensure that this trade be stopped.

(Motions deemed adopted, bill read the first time and printed.)

## PETITIONS

### SOCIAL REFORM

**Mr. Mac Harb (Ottawa Centre, Lib.):** Madam Speaker, pursuant to Standing Order 36, I present a petition to the House. The petition is signed by people from all across the national capital region: Ottawa, Nepean, Gloucester, Orleans and so on. It has to do with same sex benefits.

### CANADIAN WHEAT BOARD

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Madam Speaker, the petition I am presenting today comes from the constituents of Yorkton—Melville. It states: "We, the undersigned citizens of Canada, wish to draw to the attention of the House of Commons and the Senate of Canada that a very vocal minority of citizens are requesting Parliament to institute a dual marketing system for wheat and barley.

Therefore, your petitioners request that Parliament continue to give the Canadian Wheat Board monopoly powers in marketing wheat and barley and also request that Parliament expand further the Canadian Wheat Board monopoly powers to include all grains and oilseeds".

• (1005)

### BOVINE GROWTH HORMONE

**Mr. John Solomon (Regina—Lumsden, NDP):** Madam Speaker, pursuant to Standing Order 36, I am pleased to present a petition on behalf of my constituents in Regina—Lumsden who are concerned and opposed to the approval of the synthetic bovine growth hormone known as BGH or BST, the drug injected into cows to increase milk production.

The petitioners call on Parliament to take steps to keep BGH out of Canada through legislating a moratorium or stoppage on BGH use and sale until the year 2000, and examining the outstanding health and economic questions through independent and transparent review.

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## QUESTIONS ON THE ORDER PAPER

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I ask that all questions be allowed to stand.

*Government Orders*

**The Acting Speaker (Mrs. Maheu):** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[*Translation*]

### CONSTITUTIONAL AMENDMENTS ACT

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.)** moved that Bill C-110, an act respecting constitutional amendments, be read the second time and referred to a committee.

He said: Madam Speaker, Bill C-110 represents the fulfilment of one of the three undertakings made by the Prime Minister during the referendum campaign. At that time, the Prime Minister made a commitment not to amend the Canadian Constitution without the consent of the people of Quebec. But the bill goes much further. It also ensures that no constitutional change will take place without a regional consensus.

Let us be very clear: this initiative, the resolution respecting Quebec's distinctiveness, and the initiative that will follow tomorrow, are in no way the sum total of our response to the Quebec referendum or to the issue of national unity. Rather, these three commitments should be seen as important first steps.

[*English*]

It was in front of a rally of over 100,000 proud Canadians in Montreal that the Prime Minister promised change. He made a commitment and now he has delivered.

On that day he made it clear that to implement change he would need the support of those same proud Canadians and their friends who came from coast to coast to Montreal. The time for this renewal starts now.

We need the support of those Canadians and Canadians from all across the country to confirm the faith of the majority of Quebecers who voted no to separation on October 30.

The steps we are taking this week in combination signal a new beginning and a reaffirmation of our desire to remain united.

[*Translation*]

Bill C-110 should be seen in the context of this renewal. Yesterday, the Prime Minister spoke eloquently before the House to the resolution recognizing Quebec's distinct society.

That resolution represents a solemn commitment, the fulfilment of a pledge, and this Chamber's genuine expression of respect for the people of Quebec. True, this resolution will satisfy neither the Parti Quebecois nor the Bloc Quebecois.

• (1010)

As we know, sadly, nothing short of breaking up this country would satisfy them. But, as the Prime Minister said yesterday, it is easier to destroy than to build. This government is interested only in building a stronger, more united Canada.

[*English*]

As the Prime Minister asserted yesterday, the resolution through which the House is being called on to confirm the reality that Quebec is a distinct society is not intended in any way and does not infringe on or derogate from aboriginal or treaty rights. This position includes the inherent right to self-government. We recognize the unique legal position of aboriginal peoples, including the protection of aboriginal and treaty rights as found in the Constitution.

Tomorrow my colleague, the Minister of Human Resources Development, will table a bill transforming the unemployment insurance program into an employment insurance program. This will represent the latest step in the practice established by the government in the two years since we have taken office; a practice of co-operating to end duplication with other levels of government as we work toward our common goals of creating jobs and achieving economic growth.

We reaffirmed that commitment during the referendum campaign. Tomorrow will mark an important step in that continuing process.

[*Translation*]

During the referendum campaign, we assured the people of Quebec that the Canadian Constitution would not be amended again without their consent. That was a solemn commitment. Yet, the Government of Quebec stands in the way of our modernizing the federation and stays on the sidelines by itself. It refuses to participate.

As Canada begins its renewal, we need a practical way of assuring Quebecers that we will not proceed without them. What we have done is to provide a strong political commitment, backed by the force of law, that we will use our veto to oppose any change that, in the opinion of Quebecers or people from any other region, goes against their best interests. This simply acknowledges the reality. There is no point in adopting changes that do not have substantial support in all the regions of the country.

[*English*]

Allow me to deal briefly with the contents of Bill C-110. May I emphasize at the outset that this legislation does not initiate or represent constitutional change. It is essential to emphasize that the adoption of this bill by Parliament will not result in any change in the amending formula provided for in the Constitution of our country.

All of the features of Part V of the Constitution calling for provincial agreement in various forms, depending on the nature

of the proposed amendment, will remain entirely as they are at present. In particular, the general formula for amendment requiring the approval of two-thirds of the provinces representing 50 per cent of the Canadian population will remain exactly as it is at present.

What this bill does achieve is to make the federal veto over constitutional change available in such a way as to ensure that no such change will take place without regional consensus. Simply stated, the federal government is providing by law that such support will not be forthcoming unless certain conditions are met. Those conditions involve the support of every region of Canada.

Let me spend a few moments setting out in a summary way that which is already well known to members of Parliament; that is, the features of the present amending formula contained in Part V of the Constitution Act, 1982 and that will continue unchanged after this bill is adopted.

• (1015)

Each and every one of the provinces already has a veto on many categories of proposed constitutional amendments. For example, each and every one of the provinces has a veto on all changes that require unanimity; that is, those matters that are touched on by section 41 of the Constitution Act. These involve changes to the office of the Queen, the governor general, the lieutenant governor of a province. They involve changes in provincial representation in the House of Commons and the Senate, the use of the English and French languages, and the composition of the Supreme Court of Canada.

Under section 41, every province, from Newfoundland on the east to British Columbia on the west, has an absolute and unconditional veto over any amendment referred to in section 41.

The second type of change contemplated by the Constitution and the second kind of veto provided in part V is dealt with in section 43. Whenever there are proposed changes that affect one or more but not all of the provinces, those provinces affected by the proposed changes have an absolute and unconditional veto over any such amendment. Think, for example, about the resolution of boundary questions between provinces that neighbour each other, or instances such as the amendment permitting the construction of the fixed link between the mainland and Prince Edward Island. Without the concurrence of the province or provinces affected by changes under section 43, those amendments will not occur.

The third kind of change in respect of which there is a virtual veto is under the general amending formula in subsection 38(1). It is provided in subsection 38(3) that where there is any amendment approved by seven provinces with 50 per cent of the

### *Government Orders*

population, if it involves the reduction of any provincial power, right, or privilege, any province can opt out. In that section, the veto is exercised in a negative sense by the objecting province opting out of the proposed change. Under section 40, where such an opting out takes place in relation to matters involving culture or education the federal government is obligated to compensate the dissenting province financially.

It is therefore clear that each and every province, from Prince Edward Island to Alberta, from British Columbia to Newfoundland, has a veto either directly or indirectly over almost all categories of constitutional change.

The only area that exists at present where there is no veto is where the general amending formula applies and where the opting out provisions of subsection 38(3) do not arise; in other words, those amendments that do not involve taking powers away from the provinces. We are therefore dealing with those categories of amendment that would, for example, add powers to the provinces, enlarge the territories of existing provinces, or deal with all the other matters listed in section 42 of the Constitution.

The effect of Bill C-110 is to provide a regional veto for any of the changes in respect of which the individual provinces do not already have direct or indirect vetos. The additional regional veto that is contemplated by this legislation will be provided not by constitutional change but rather through a commitment by the Canadian government to introduce such changes only when regional consensus is demonstrated.

In effect, the federal government is putting in place a set of criteria that will guide the future use of its own veto power. The seven and fifty amending formula is still in place. Bill C-110 is merely a discipline the federal government imposes on itself.

*[Translation]*

Canadian history shows that the idea of a regional veto has often been supported by many responsible proponents. Indeed, at the Victoria constitutional conference of 1971, the federal government and all 10 provinces agreed to a constitutional amending formula that was, in general terms, very similar to that proposed in Bill C-110.

This approach was ultimately rejected, for other reasons, by a subsequent decision.

• (1020)

Let us keep in mind, however, that the Victoria formula as it was then called had the original support of all eleven governments.

Similarly, the 1991 report of the Beaudoin-Edwards Committee contained a proposal almost identical to that in Bill C-110. Finally, at its 1992 policy convention in Hull, the Liberal Party

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of Canada endorsed certain specific amending formulas, including the very formula set out in this bill.

As members will see, this bill provides expressly that no minister of the crown may introduce a resolution proposing an amendment to the Constitution unless such an amendment has the consent of a majority of the provinces. Which begs the question: What is meant exactly by “the consent of the provinces”?

First, let me point out that it will be up to the federal government to determine what this phrase means every time a new situation arises. Depending on the circumstances, the federal government might interpret as consent, for example, an expression of consent by the provincial government of the day, a resolution of the legislative assembly, or a direct expression of the population’s agreement through a referendum.

[*English*]

There are those who may argue that Bill C-110 is unconstitutional because it represents a unilateral attempt by the Canadian government to amend the Constitution. I gave careful consideration to this question before certifying the bill as constitutional, as it was tabled in the House yesterday.

Let me express my sincere conviction that Bill C-110 is valid federal legislation. It does not amend the Constitution in any way. Indeed, it is complementary to the constitutional amending provisions.

The House of Commons is the only legislative assembly in Canada with a complete veto over almost every conceivable type of constitutional change. That is so because as a practical matter no such change will occur if it is opposed by the House of Commons.

Bill C-110 simply represents a reflection in legislative form of the policy of the Canadian government with respect to the circumstances under which it will lend its support to constitutional change where the provinces do not already have a veto.

In my respectful view this legislation is much in the same category as those provincial statutes by which certain provinces have bound themselves to support constitutional amending proposals only after a referendum has been held in which the people of a province express their support. I refer specifically to the legislation in both Alberta and British Columbia, which imposes on those provincial governments exactly that constraint or discipline.

Accordingly, the bill is neither intended to nor does it amend the Constitution directly or indirectly. It simply sets out the circumstances under which the Canadian government may support constitutional change.

Another question that arises is whether there are four regions for these purposes or five. As the Prime Minister asserted in his remarks yesterday, some are already suggesting the bill does not do justice to British Columbia. This is simply not the case.

The changes in this legislation are a significant step forward for British Columbia in the constitutional process. These steps are the clearest recognition we have had to date of British Columbia’s growing importance within Canada. The voices of British Columbians are being heard in Ottawa and throughout Canada. Let there be no mistake about that.

• (1025)

As the largest western province, British Columbia will obviously have a major voice in determining whether regional consensus exists in the circumstances contemplated by Bill C-110. The arithmetical reality is that British Columbia, with the support of only one other western province, could block any constitutional change affected by Bill C-110. This represents a significant increase in British Columbia’s role in the amending process. The situation at present in respect of amendments to which Bill C-110 would apply is that change would be possible without the consent of three western provinces, even if the three dissenting provinces together represented a majority of the population in the western region.

The population of British Columbia is expected to surpass 50 per cent of the total of the western region early in the next century. This will mean that under the provisions of Bill C-110 British Columbia on its own would ultimately be able to block any amendment. This will represent a major improvement and significant recognition of British Columbia’s place in Confederation.

This issue should surely be kept in perspective. We speak in this bill of a veto. A veto does not initiate constitutional change, it blocks it. What we are talking about is the ability of a region to stop an amendment to the Constitution.

I remind members as well that the Constitution requires that a conference convened by the Prime Minister and including all first ministers must be held before April 1997, expressly for the purpose of discussing the amending formula in part V. The issue of British Columbia’s involvement in the veto process could very well be put on the agenda of that conference for full discussion.

[*Translation*]

There are those who suggest that Bill C-110 will make it impossible for any government to amend the Canadian Constitution. I fundamentally disagree.

First of all, the amending formula remains exactly as it is today. Part 5 remains unchanged. The general amending formula will still require the consent of seven provinces representing

over 50 per cent of the Canadian population. Bill C-110 simply provides that a regional consensus must be achieved before the Canadian government can effect any changes.

It is difficult to imagine that the federal government would endorse constitutional change without the support of all regions. Bill C-110 requires that a majority of provinces, namely six, express their support for or consent to the proposed changes before Ottawa can participate.

That is, of course, a smaller number than required in Part 5 of the Constitution, and I emphasize as well that there is no national population threshold.

[*English*]

I suggest that Bill C-110 will strengthen the constitutional fabric of this country, not by changing the Constitution but rather by making plain the circumstances under which constitutional change can be carried out.

This bill is a measure that reflects the importance of the regions of Canada and ensures their participation in constitutional renewal. In a sense the bill is a bridge, because we can expect that the amending formula will evolve in the years to come. There is no doubt that at some future point the amending formula will be reviewed and no doubt improved upon. In the meantime, by this legislation the federal government is ensuring that amendments will occur only when they have the support of all regions of the country.

As I said at the outset, this bill and the other initiatives introduced this week are not in any sense the only response by this government to questions of national unity. Rather these initiatives are the first steps. They represent new beginnings. We undertake them with renewed hope and optimism for our future as a country. Let us proceed in that spirit and put Canada above all else. Let us put Canada first.

• (1030)

I commend the legislation to the House and I urge all members to support it.

[*Translation*]

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Madam Speaker, we are engaged here in a continuation of the discussion of the recent attempts by the Prime Minister to amend the Constitution. I feel that the contribution made to the history of Canada and Quebec constitutional law by Bill C-110 will be fairly negligible. It will add a page to the federal statutes, but that is as far as it will go.

Before entering directly into an examination of the content of Bill C-110, I would like to try to destroy a myth, if I may—although myths are virtually indestructible—the myth that René Lévesque lost Quebec its right to a veto. Yesterday again we heard the Prime Minister tell the House that Quebec had to be

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given back its veto because René Lévesque had given it up. That is something we hear all the time on the Hill as a self-evident truth, but something that is totally contrary to the facts.

I note that the Minister of Justice, with his familiarity with law and jurisprudence, has taken great pains to avoid repeating such an enormity. We are well aware that the reason why Quebec is in the vulnerable situation it is with respect to constitutional change is that the Supreme Court, in a 1982 decision, its second decision on constitutional challenges raised because of the 1982 patriation, found that the veto Quebec believed it possessed, the veto everyone believed Quebec possessed, which had always been respected because the general perception was that the Canadian Constitution could not be altered without Quebec's consent, had never existed.

The Supreme Court analyzed the Constitution and found, after examining all elements which might make it possible to confirm the existence of a veto, that Quebec had no veto and never had had one. Now, that is a ruling by the Supreme Court of Canada. As a result, people ought perhaps in future to refrain from stating that if the necessity for Quebec to obtain a veto is central to the whole constitutional debate, is not as a result of René Lévesque's being so careless that it was lost, but has never existed in the opinion of the Supreme Court. The proof lies in the second challenge in 1982, when Quebec, which now stood alone, attempted to block unilateral patriation by invoking its right to a veto.

You will recall that in the first attempt, in the first case, in 1981, Quebec had seven other provinces on its side and was successful in blocking patriation, this time by convincing the Supreme Court that a reasonable measure of provincial consent was necessary for proper patriation and major change to be possible. The Supreme Court had concluded that, with eight provinces dissenting and only two supporting the federal government, the reasonable measure of consent needed to authorize the patriation of the Constitution and the amendments it contained had not been reached.

It was in the second attempt, when Quebec found itself alone, that it tried to block patriation and exercised its right to veto. At the heart of the 1982 constitutional challenge, which the Supreme Court decided on, just before the act of patriation was signed, but still in 1982, the court concluded that the argument did not hold in this case, because Quebec had no veto.

I would just like to say this so it appears somewhere in *Hansard*, here, in this wash of gratuitous remarks to the effect that René Lévesque lost the right of veto, that someone rose, namely the Leader of the Opposition, who was on one of the teams of lawyers at the time, to point out that the Supreme Court never said René Lévesque had lost the right of veto. On the contrary, it said we never had it. Hence the present debate, which

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is part of a long series of abortive attempts to introduce the right of veto into the Canadian Constitution.

● (1035)

Earlier, the Minister of Justice provided a quick overview of the various attempts that have been made, from Victoria, more specifically the Pepin–Robarts Commission, to the various task forces that were set up during the constitutional debates that preceded the Charlottetown accord, to show there had been a number of formulae. The formula used in Bill C–110 is somewhat like the Victoria formula in which Quebec is considered a region and could therefore, if the government is rightly talking veto, have its own veto too.

But what is the reality of the situation. I contend, and the Minister of Justice was careful to avoid saying it, that there is no way this bill can be said to give a veto to Quebec in particular or to other provinces and regions. There is no way anybody can claim this bill provides for a veto, for two basic reasons.

First, veto power is given only if everyone wants it to be. As soon as someone objects to its being given, the right vanishes. Consensus is at the very heart of the according of veto power. Unanimity is essential. All the provincial legislatures and the federal government must be in agreement. What we have before us is nothing more than the federal government's wish. Where is the support of Canada's provincial legislatures? There is none.

What we do have are statements making it very clear that at least two, and maybe more, provinces have refused to support this veto bill. Only one need refuse for it to never exist.

This means there is a basic flaw in the plan for establishing a right of veto. The reality of the situation is that we do not have here the conditions necessary for a veto to be given.

The second reason has to do with the definition of a veto. The right of veto is an absolute guarantee. It is written into the Constitution and cannot be withdrawn without everyone's approval. It serves to permit one of the interested parties to block constitutional change.

It should be binding on everyone under the constraining effect of the Constitution, the country's supreme legislation. Where will this bill end up after being passed by a majority of the members in this House? It will end up gathering dust in the federal statute books, where it will remain. It will never be enshrined in the Constitution or invoked to bind anyone outside this House because it is not, in fact, a right of veto.

They will tell me: "Yes, but Parliament will be bound, the federal government will be bound, since a bill was passed". Not really. It will be bound only so long as the act remains in the

federal statute books. It will no longer be binding, even on this government, as soon as one minister or another rises to propose that this bill be withdrawn and replaced with another one. One piece of legislation replacing another. The legislative process hinges on having the same forum, the same vehicle, namely the House of Commons, pass a bill to amend another piece of legislation.

In any case, we know full well that, fortunately, governments do not last forever, that there are elections in a democracy, that there will be a federal election in two or three years, that another government will be formed, perhaps by the same party, but possibly by a different party, why not? As for the Bloc Québécois, it will certainly not be in the running, so that the only other party in this House likely to come to power is the Reform Party. What will be the first bill tabled by Reform should it come to power? The bill to withdraw Bill C–110. Which means that Bill C–110 is nothing. It amounts to smoke and mirrors.

● (1040)

So, Madam Speaker, I trust you will allow me to spare you and not spend too much time repeating that this bill contributes absolutely nothing to the debate, that it is, at best, a diversion, a show put on by the Liberal government to silence criticism about failing to act on the constitutional issue, making empty promises and misleading the people. This way, for the next two or three years, the Prime Minister will be able to keep telling us, until we are sick and tired of hearing about it: "We granted Quebec the right of veto through Bill C–110. We granted Quebec the right of veto through Bill C–110. We granted Quebec the right of veto through Bill—" It will become quite annoying to hear him say that over and over. That is not true, but he just will keep on repeating it all the time. Over, and over again.

Those in the know, all those who examine the constitutional issue, who are courageous enough to keep looking into it from time to time, who overcome their mental fatigue to ponder these matters again, know that Bill C–110 is just one of those political ploys that do not really change anything in the problem Quebec and Canada have in this regard. And I suspect that the Minister of Justice would be the first one to recognize that, he who, a moment ago, gave a very neutral, factual and, I would say, professional description of his approach by setting out very clear limits, reassuring English Canada in the process.

I noticed, in the remarks he made in English in particular, that he made a point to remind everyone that the Constitution will remain unchanged. "Do not assume that this is a constitutional change. This will have no effect on the Constitution. The federal government is just exercising self-discipline". I heard a speaker use the word "discipline" earlier, in English. The federal



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government will exercise self-discipline, restraint, before granting too much to Quebec, of course. To anglophone listeners, the government is describing this initiative as a way to refrain from giving too much to Quebec, to resist the urge to do anything like that.

This leads me to believe and shows us that Bill C-110, in fact, has a pernicious effect in that, since the Canadian Constitution is so complex and twisted in certain respects, this bill, and that is a paradox, will in no way solve the current problems, but will make it even more difficult to transfer the powers that the federal government might be willing to give to Quebec.

I can see the day when members from this side of the House will rise to ask the Prime Minister: "Are you going to transfer manpower to Quebec, along with the real powers provided for in the Constitution? Are you going to enshrine the transfer of manpower in the Constitution? Are you going to do that? Are you going to also transfer the related funds?" The Prime Minister will reply: "I cannot do that. Bill C-110 prevents me from doing that. I have imposed self-discipline on myself. I have forbidden myself to transfer anything to Quebec". Since he is a law abiding person, the Prime Minister will no longer be able to do anything for Quebec, when he wanted to do so much.

I end with the conclusion of the Minister of Justice, who said: "Listen, this may not be much"—and he is right—"but it is only the first step. It will be improved. We will continue to work. The committee has an important task. That committee, which is chaired by the Minister of Intergovernmental Affairs and which will explore avenues for change, will come up with other proposals just as inventive as Bill C-110". The minister adds: "Do not lose heart just yet. True, there is not much in this, but we will improve things". The fact is that, never in the history of constitutional negotiations and talks involving Quebec, the federal government and the rest of Canada, was an initial proposal improved on. On the contrary, every initial proposal made was later scaled down, watered down, split, doctored or dolled up, and in the end became almost meaningless. Now we are told: "No, this time we start small, but end up with something big". We will talk then.

● (1045)

For the time being, let us simply say that this sham fails to convince, and that we will not give it any credibility by voting in favour of the bill. On the contrary, we will oppose this legislation and, in Quebec, we will move on to a more immediate, pressing, serious and imperative agenda, given the need to put our fiscal house in order, to create jobs and to do something about education and culture.

We will see what happens after that.

**Some hon. members:** Hear, hear.

[English]

**Mr. Stephen Harper (Calgary West, Ref.):** Madam Speaker, I am rising today to address Bill C-110, an act respecting constitutional amendments, and to state clearly our opposition to the bill as it is now drafted. I also hope to propose some things that the government will think about in terms of altering this legislation which may make it more acceptable.

[Translation]

I want to say that we, the members of the Reform Party, certainly oppose that bill, which gives a veto power over constitutional amendments to certain provinces, but not to others. More importantly, it denies Canadians the possibility of playing a role, by way of a referendum, in amending the Constitution.

[English]

I must admit that in the last two or three months I have been wondering what exactly it is we are doing in this place and why we are really here when it comes to the question of national unity.

I had prepared a fairly long speech to discuss the constitutional amending formula and some of the considerations in that historically. I probably will not give it today. Instead I want to concentrate on a few other comments, things that I feel about this situation which I think need to be said.

When I say I wonder why we are here, as intergovernmental affairs critic for my party I want to share some of the frustrations we have had. Monday morning the government did not even know it was making an announcement on national unity. We contacted the government and were told that by the office of the intergovernmental affairs minister. Certainly nobody in the press gallery was aware of it.

The announcement was made Monday afternoon. Even yesterday morning no copy of the bill was available. We were told it was in the extremely complex process of being drafted, after notice had been given. Then we got the bill and it is all of one page. There is no doubt that the drafting required a lot of time and a lot of complex decisions which prevented it from being shown to anybody until a few minutes before it was tabled.

We saw what happened when we tried to get a constitutional amendment at Charlottetown. We ended up with 60 clauses. It took months and they could not even produce a legal text. This is the kind of the role we see here.

What is more important is this is a bill about the amending formula. The amending formula is an important question. Frankly I do not really think this bill has much to do with an amending formula in the Constitution. I do not think much thought went into this position.

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Judging from the comments of both the Prime Minister and the Deputy Prime Minister when we have questioned them in question period it is very clear there are concerns other than the amending formula. We seldom get any responses that try to justify or explain why this particular formula would be a good one.

Instead, what is obviously a preoccupation in the government and in the country is the very deep denial about the nature of the events in the province of Quebec and where it is really going. The deep denial this country has been in for a long time is that there is a very simple solution to this problem, that somehow there will be some constitutional or non-constitutional concession and all we do is present it. It will address Quebec's historic demands; it will embarrass the bejeesus out of the separatists; the whole movement will collapse and then everything will be solved.

• (1050)

We have heard this story over and over again for 30 years. Attempts have been made to go along with that approach and frankly, they seem to have made the situation worse. The most notable was in 1982 when nine provincial governments and many people were persuaded to pass a major constitutional package against the wishes of the separatist Government of Quebec. This was done as a method of dealing with our unity crisis to fulfil the commitments of the then Prime Minister to the people of Quebec during the referendum. We know that has led to a much more profound crisis than we had to begin with.

As this crisis gets worse and worse, governments and the Liberal Party particularly seek to find enemies of Canada everywhere. Now the enemies of Canada are no longer just in Quebec among the separatist movement; we are now told there are enemies of Canada in great numbers in Alberta and in no less than the premier's office in Newfoundland. There are enemies in British Columbia. Everywhere there are enemies who will not put aside their narrow views in order to save the country.

Let me go to our position on the amending formula and make it very clear. The Reform Party will not agree to any change to the amending formula for federal ratification unless it is done by national referendum. It does not matter whether there are four regions, five regions, 10 regions, or if we make every constituency of this House a region.

It is not good enough to have 10 votes of 10 provincial premiers. We want there to be 30 million votes, the population of Canada in a national referendum to discuss federal constitutional amendments. If we get that, we can be more flexible about the nature of the federal geographic approval process. We have a constitutional amending formula for provincial approval today and that amending formula is satisfactory to us as a formula for provincial approval.

The position that the Minister of Justice has presented, I would state with respect, does not make any sense. The government says it is not a new formula for constitutional amendment. It is not a constitutional formula because it will not be in the Constitution. That is clear enough, except that it is the stated intention of the government that these proposals will be brought into the Constitution at some point.

The government is proposing a new formula for constitutional amendments involving provincial ratification. We already have a formula in the Constitution for provincial ratification, the seven and fifty formula. There are difficulties with the seven and fifty formula. The minister accurately outlined some of those difficulties.

The reason for that formula is that when dealing with provincial governments the provinces decided that they did not want any one government to have a veto because that was a very risky situation with the concentration of executive power there is in this country. I will get on to that more later.

The new formula obviously violates what the provinces themselves wanted in selecting the current provincial amending formula. The Minister of Justice has tried to make an argument that it is not unconstitutional for the federal government to unilaterally amend the provincial ratification formula even in a non-constitutional way. He has an argument there because the federal government can clearly delegate its powers.

Why it would want to delegate powers to the provincial governments in an area where the provincial governments already have a formula is unclear to me. We will have two rounds of provincial ratification and no real federal ratification. This is completely unclear to me. In any case, this is what they are proposing to do.

The delegation which is proposed here delegates that authority in a way that gives some provincial legislatures more authority than others.

• (1055)

It is on that ground that some provincial legislatures, in particular the legislature in my province of Alberta, may well attempt to take this to court and have it declared unconstitutional. Alberta may challenge that and I would encourage it if it sought to do so because in the area of governmental powers all of the provinces should be treated equally.

As well the Minister of Justice has argued, and I am a bit mystified at why he is even making this argument, that there are already plenty of vetoes in the Constitution which is true enough. There are already plenty of vetoes in the Constitution. That does not change the fact that for the areas he is proposing vetoes, he is proposing to give some provincial governments and not other provincial governments vetoes. This will be rejected by the population in large parts of the country, but particularly in western Canada. Western Canada will reject it because it

reflects a vision of the country that does not at all reflect the way westerners see the country.

I was born and raised in Toronto, so I can understand the central Canadian perspective. Unfortunately it is simply not a complete perspective of the country. It is interesting, when looking at the four regions there is Ontario and Quebec, the two original provinces before Confederation. Then there is Atlantic Canada and of course, it is a group with a small population. In the original Constitution we had recognized three regions, but then there is out there: western Canada and all of the Rockies, all of the prairies, all of the north. That is just one area.

If we were to ask a westerner what the regions were, I am sure he would say they are the prairies, the Pacific, the north and the east. That would be the formula that would be proposed.

This will obviously be rejected even more in British Columbia than it is anywhere else. British Columbia is obviously a distinctive and strong region with a vibrant economy, a great future regardless of what happens politically in this country. It is growing. It is larger both in terms of geography and population than all of the Atlantic provinces combined. It certainly is not going to view itself as part of some western region. Why then has it been defined this way? It is important to say something about this because it does reflect the nature and the inadequacy of the thinking behind the bill.

The Minister of Justice talked about renewal. What does this particular formula have to do with renewal? When we asked why this formula came about, we did not get an instruction about renewal; we got an instruction from the minister and from the government about history.

In 1971 the Government of British Columbia as part of a wider constitutional package that was eventually rejected, agreed to a formula that involved four regions. In 1971 Ken Dryden was a rookie playing goal for the Montreal Canadiens. The United States was still at war in Vietnam.

The premier who signed that deal— and I do not mean to besmirch his memory, the premier has long since passed away— not only is he and his government out of power, the party he represented does not even exist in the province of British Columbia. The premier is dead and we are using him now as the reason we are bringing forward a proposal for a constitutional amending formula in 1995.

Then we got a second set of reactions. This morning the Minister of Justice seemed to concede that B.C. should have a veto or should be moving that way because of its population. I ask the House to think a little bit about this. The argument is that sooner rather than later, British Columbia will have a majority of the population in western Canada so it will have a veto.

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What does this mean? This means that under the formula proposed by the government, the provinces of Alberta, Saskatchewan and Manitoba would have no say whatsoever in constitutional amendments, none whatsoever. They can be isolated in the seven and fifty formula and their consent would not even have to be requested to fulfil the requirements of Bill C-110. We would not even need to know what their position was.

• (1100)

This is an absolutely incredible position and explains why in Alberta there is a reaction. Some circles have called for an Alberta veto.

Across the country there is a particular concern that this gives a veto to the government of Quebec at the very time when it will be led not just by the separatists, but by the Leader of the Opposition, the leader of the Bloc Québécois who will become the future premier of Quebec. He is not only committed to taking Canada out of confederation, but unlike Rene Levesque, is not willing to entertain any constitutional amendments whatsoever.

During and since the referendum when the Prime Minister has been asked him about his speech in Verdun, he talked about trusting the people. He told us we had to trust the people in the referendum. The people defeated the proposal by Mr. Parizeau. Now the Prime Minister does not trust them. Now he is prepared to trust the Leader of the Opposition. This position contradicts his previous statements on constitutional reform. It contradicts resolutions the Liberal Party passed in 1992. It contradicts his statement about trusting the people and giving the Constitution to the people. It even contradicts statements he made recently in the House.

We have to ask why the Prime Minister would do this. I want to try and be fair to him. The Prime Minister has been in politics for 30 years. He has had a very successful political career. None of us would debate that. He has shown from time to time some very clever political judgment, regardless of what anyone says.

He said he would trust the people. He said he would give the people a say. He said he would give the people of Quebec a veto. Now he is doing the opposite. He is giving the legislature of Quebec a say and not the people. A couple of days ago when I asked about this, he said this was even more democratic. This was really democracy. The people of Quebec chose this legislature and that is who we are trusting.

I have pointed out on more than one occasion in the past that if we had left the decision on the separation of Quebec to the legislature of Quebec, it would already be a separate country if that is where the decision is to be taken. It is the people of Quebec who have decided repeatedly not to separate.

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Why is the Prime Minister doing this? He is doing this for the very reason that it is being criticized. He is doing this precisely because it gives a veto to the leader of the official opposition, the leader of the Bloc Québécois. The Prime Minister can stand and say: "I gave you a veto. I gave the people of Quebec something through you and you turned it down. You are the bad guy". That is what he wants to say.

Why does that matter? It matters because for 30 years the Prime Minister has been a fighter for Canada in Quebec against the Quebec nationalist movement. It is a fight that looks more and more in jeopardy as there has been a long term rise in support of this movement through the decades.

As with all nationalism, this movement says that anybody who has a sense of wider loyalties is a traitor. The Prime Minister, because he sees himself as a Canadian, believes it is some kind of a sell-out.

It reached a pinnacle in the last couple of years when the Prime Minister became the first Quebecer in our history to be elected Prime Minister without substantial support from the French speaking areas of Quebec. He also was aggravated, when in the referendum campaign, his interventions did not seem to have a particular affect on the population.

• (1105)

The Prime Minister has decided to strike back. It is a perfectly understandable response for somebody who has been in the position he has been in, for somebody who must feel the way he feels, given the way events have gone and given the way he has been treated from time to time, particularly in his own province. From his perspective it may also be a response that is necessary politically as a federalist Quebecer.

I suggest it will not work. The Leader of the Opposition, as we all know, is a smart enough fellow, which he demonstrated again today. He is not going to have any problem playing around with this argument. That is what he will do. Whether his arguments are right or wrong he will be able to deliver an effective argument against this motion.

The Prime Minister should also know from his own history that success in politics is about being able to see that one's own feelings or one's own reactions should not interfere with one's own judgment or with the broader interests that are at stake.

Canada needs an approach in looking for a new constitutional formula. That is what we should be looking at here. Canada needs an approach that is good for the country and good for Canadians. I suggest there are many things wrong with this bill. In particular a veto for the premier of Quebec is not in the interests of all Canadians. It is not in the interests of this country.

What is in the interests of this country at the federal level is what we have: a provincial ratification formula which I believe is as good as it is going to get. At the federal level we need a national referendum for the people of Canada. We should be trusting the people of Quebec who have voted against separation. We should be trusting the people who went to the Montreal rally who were not there to endorse some bills and resolutions which they had not seen. We should be trusting their judgment. We should also be trusting the people who did not go to the Montreal rally. They were millions of Canadians, many of whom I suspect considered they would go but had second thoughts because they said: "If I go there am I going to find that my name is being used to back some agenda by some group of politicians that I had never endorsed?"

Those people in Quebec and outside of Quebec need a say in constitutional amendments. It is only by trusting the people that we are going to get anywhere. We will certainly vote against this bill the way it is. I ask the government to seriously consider looking at this proposal again to give the people a say over constitutional change at the federal level.

\* \* \*

**BUSINESS OF SUPPLY**

**Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I rise on a point of order. There have been consultations among all parties in the House. I believe you would find unanimous consent for the following motion. I move:

That, notwithstanding any standing order if, on Friday, December 8, any division is demanded with regard to any business pursuant to Standing Order 81, the said division shall be deferred until 15 minutes before the expiry of the time allotted for Government Order on Monday, December 11, and immediately after the disposal of the said division, the House shall dispose of all other business relating to the business of supply in the manner set out in Standing Order 81(17).

Madam Speaker, a copy of this motion has been given to both opposition parties present in the House and I believe you will find unanimous consent for this motion.

(Motion agreed to.)

**Mr. Boudria:** Madam Speaker, I wish to indicate that pursuant to Standing Order 43(2), Liberal MPs speaking on this bill from hereon in will be sharing their time with 10 minutes for every speaker.

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**CONSTITUTIONAL AMENDMENTS ACT**

The House resumed consideration of the motion that Bill C-110, an act respecting constitutional amendments, be read the second time and referred to a committee.

**Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.):** Madam Speaker, there are defining moments in the history of a nation. I had the privilege of being a part of one of those defining moments. It was not a political

agenda. It was not a politician's agenda. It was an expression by the people of Canada, on the eve of a very important referendum about their futures, to come to the heart of Canada, the city that probably best embodies the distinctiveness of Canada and the distinctiveness of Quebec, to come to Montreal.

• (1110)

I spoke yesterday about a woman I met on an elevator in a hotel who had come in a wheelchair with her husband from Peace River, Alberta. She said to me:

[*Translation*]

"Mrs. Copps, I cannot speak French like you do, but would you please tell Quebecers that Quebec is an important part of our country, Canada, and that they are a distinct society".

I know it makes the separatists sick to see that Canada has a heart that is generous enough and I can see why.

[*English*]

I was in Montreal with 150,000 Canadians who came from every part of this country because they believed that we have a nation worth saving. They believe that Quebec is a distinct society. There is a reason we are different from our neighbours to the south, there is a reason that we have—

**Some hon. members:** Oh, oh.

**Ms. Copps:**—there is a reason we are different and generous.

[*Translation*]

There is a reason why, last week, we were able to pass a bill on firearms and there is a reason why we have a universal health care system; it is because, at the dawn of our history, when we made the decision to become a country, we held as a fundamental principle that there are two peoples.

The hon. member can laugh, but my ancestor was a member of the Louisbourg government before anglophones ever came into Canada. My maternal grandmother was born in England. We can find solutions. That is why, last year, on Canada Day, the Leader of the Opposition said Canada was the most democratic country in the world.

[*English*]

Canadians know that nothing we do will ever satisfy the Bloc Quebecois. Unfortunately the Reform Party has shown that it is incapable of understanding the meaning of building a nation and the setting aside of regional differences for the good of a nation.

If Bloc members were offered the world they would want the moon. If they got the moon they would demand the sun. If they got the sun they would demand the galaxy. If they got the galaxy

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they would want the universe. If they got the universe they would demand heaven. If they got heaven they would claim that the angels were in a federalist conspiracy to centralize power.

We have listened to the opposition parties. It is really very sad. I have a lot more faith and confidence in the people of Canada and the good judgment of those 150,000 people.

[*Translation*]

The Bloc wanted to know if campaign managers had paid for this, who had taken the school bus? Steelworkers from my riding, who had never been involved in politics in any way, rode in a school bus for ten hours to go to Montreal to express their solidarity and recognize what you know and what we know. It is a fact, Quebec is a distinct society, and that is why since the beginning of our history we have been different. Why did I say during the referendum campaign that Quebec is the heart of Canada?

• (1115)

If our nation is respectful of individuals and communities, it is thanks to French speaking Canadians, who were able to survive throughout the history of North America. You were all by yourselves. Some could not keep their language, but you were all by yourselves and you managed to survive because you knew how to build a community. You have embraced the principles of sharing through institutions such as the caisse de dépôt and the co-op movement. Your contribution to the fabric of Canada is what makes up the soul of our country.

Some people tell us: "Mind your own business." If I am a Canadian, I am not an Ontarian, I am not an English speaking Canadian, I am simply a Canadian who believes her country, without Quebec, would be an empty shell. My country, without Quebec, will lose all we have achieved together. Admittedly, we have problems. There are always problems. But are we generous enough and open minded enough to accept wholeheartedly the changes that need to be made?

[*English*]

Canada is not about cutting the best deal for oneself. Canada is not about carving up power among politicians. Canada is about building a hope and a dream for people around the world who look to Canada for inspiration from a country that can make its differences work.

Let us look at the globe today. People with far greater differences than ours are making enormous accommodations and throwing off centuries of bitterness, centuries of historic hate. We see peace in the Middle East. We see peace in Northern Ireland. We see the peace process in Bosnia. Bitter rivals are laying down decades and centuries of hatred and destruction and

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they are finding accommodation. We thank God that in this country we do not have such hatred to overcome.

[*Translation*]

The city of Shawinigan is twinned with mine. It was my father, a guy from Northern Ontario who spoke French slang, who twinned those two cities in the sixties. What do working people in Shawinigan and Hamilton want? They want us to be able to give the best to our children.

My grandmother was a widow, who raised six lads in Northern Ontario. She was penniless, and could not afford university for her children. Neither my father nor my mother went to university. But all their children did because, in the sixties, we tried to improve the situation in Canada to give more opportunities to more people.

Our current fiscal circumstances are difficult, and we live in a period where we tend to withdraw into ourselves. But is that the way to have a strong country in the next century? The country we have can be a leader in the world and meet the challenges of the 21st century. I sure of that.

[*English*]

This summer in my riding of Hamilton East we will be twinning with families from Shawinigan. One hundred and fifty Shawinigan families are coming to Hamilton for the 150th birthday of my city.

I am not afraid of public reaction to distinct society and veto rights. I am not afraid of people's reaction. The people said very clearly and in great numbers in Montreal that they were prepared to embrace real change. They were prepared to understand that the distinctiveness of Quebec forms an important part of the heart and soul of Canada.

We are not hearing here today the voices of the people. They are the voices of the power brokers and the politicians who want to carve Canada into little pieces. The Bloc has an agenda. It wants Quebec without Canada. The Reform clearly wants a Canada without Quebec. Will regional expressions of difference, of making us smaller, of cutting us into little pieces, giving a little power to a politician here and taking a little power away there solve our problem? I know what will solve our problem.

● (1120)

[*Translation*]

What will solve our problem is the linguistic heritage we got from French speaking Canadians, if we prove able to meet new challenges thanks to the generosity and historical background of our country.

[*English*]

**The Acting Speaker (Mrs. Maheu):** I am sorry to interrupt but the minister's time has expired.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Madam Speaker, today, I can understand the emotion the minister is feeling as she comes to realize how little she can do to change the situation for which her government is responsible.

She also realizes that what she is offering on behalf of her government, because she is part of that government, means almost nothing to the people of Quebec. What I want to tell the tearful minister we saw today is that she should have shed her tears when her leader, the current Prime Minister of Canada, killed the Meech Lake agreement. That is when she should have shed tears.

She should also have cried when the Prime Minister of Canada—who was only the leader of her party at the time—skulked around and tried to influence the Charlottetown accord negotiations. She should have shed tears then to try to convince him to listen more closely to what Quebec was saying.

She should also have shed tears these last two years every time her government held a caucus meeting to say no to Quebec and to the historical demands of our province. That is what she should have done.

Today, her tears come a little too late, and she has only herself and her own government to blame. I think the Leader of the Opposition made it clear yesterday and again today that we can expect nothing new from English Canada. We can expect nothing new from the other side because, besides paying lip service and telling us: "We love you, Quebec", they have come up empty-handed.

So, please, let us have a little less fuss and a little less show of emotion here. Let us try to remain clear-headed in our remarks and our approach in this House and have a very civilized debate, which is what we, in the Bloc Québécois, intend to do.

**Ms. Copps:** Madam Speaker, I was there for Meech Lake. I voted for Meech Lake. I worked hard for Meech Lake to pass, but someone jumped ship before it did.

I am clearly not a dear friend nor a real chum of Brian Mulroney's. But the one who stabbed him in the back by jumping ship one month before the end of Meech was the Leader of the Opposition.

When he was needed and the pressure came on, Mr. Bouchard left. I was there till the end to support Meech Lake. The one who was not there, the one who resigned and did not have the guts to speak directly to his real chum, his dear friend Brian Mulroney, that one was Lucien Bouchard. An if you are looking for one who did that, I am not the one—

[*English*]

**The Acting Speaker (Mrs. Maheu):** The time has now expired. We should refer to members by their official titles.

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[Translation]

**Ms. Copps:** Madam Speaker, I was there till the end. I know how hard it was. But one thing is sure with the Leader of the Opposition and that is that every time life becomes harsh, he takes off. He left the federal cabinet one month before Meech failed, without even having the decency to speak directly to Prime Minister Brian Mulroney because the pressure had become too much for him.

**Mr. Bellehumeur:** That is not true. He resigned after Meech Lake.

**Ms. Copps:** It is true. Pardon me but he resigned one month before the Meech Lake failure. To refer to history, you have to at least know it. I know it, I lived through it, I was here and the one who jumped ship before the end was Lucien Bouchard.

• (1125)

[English]

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Madam Speaker, the veto seems to be falling back on the old premise that Quebec supports the concept of two founding nations.

Would the hon. member who just gave such a heart rending emotional speech care to comment on the *La Presse* Gallup poll released this morning? It stated that 42 per cent of Quebecers polled support the 10 equal provinces scenario while only 37 per cent polled actually believe in two founding nations. The government clings to an outdated way of thinking.

**Ms. Copps:** Madam Speaker, I tried to point out that if we are to build a future as a country we have to understand our past. We have a country that is generous. It is known around the world as being unique. We have a country where one-third of Canadians claim neither English nor French as the mother tongue. I am very proud in the riding of Hamilton East to represent them in Parliament. Why do we have this generosity of spirit?

**The Acting Speaker (Mrs. Maheu):** Order. The time has expired.

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Madam Speaker, I am happy to rise in support of Bill C-110. If there is one overriding purpose here it is to put an end to the 30-years war.

For the last 30-35 years since the quiet revolution in Quebec the best minds in Quebec and in Ottawa have been preoccupied with a constitutional debate. It is good fun. It has brought forth an army of special constitutional carpetbaggers and others, highly paid professional lawyers, professors who are available to give opinions on either side, open line talk show hosts and journalists who have grown up in one profession. They will all be sorry to see it go but it must end.

There are more important problems today. Those are the economic problems that face us all of creating jobs, unemployment, and promoting economic growth.

Even within the narrow area of government and public administration the excessive preoccupation with a Quebec problem too narrowly defined has been at the expense of examining rationalization and modernization of the constitutional governmental system. It is time to move on. What we can call the Chrétien package is an attempt to do that on a basis which the country will accept.

It does have the two elements, the distinct society and what perhaps incorrectly has been called the constitutional veto. I was not part of the committee that drafted it, but in an open caucus where all ideas were put forward I brought together ideas that reflect those of my own constituents and the people in British Columbia who want one Canada and want Quebec to be part of it.

If distinct society is defined it should restate what historically is a matter of faith but also law, has been accepted by Canadians and is reflected in those great constitutional international acts of 1759, 1763, 1774 and onward. In so far as changes are made, they should not be formal constitutional amendments and thus be a roadblock to constitutional change in the future. That has been done. These matters are recorded in acts of Parliament and in accordance with the sovereignty of Parliament. Within the constitutional limits established by the Constitution they are capable of being re-examined and changed by ordinary legislation.

• (1130)

In a certain sense these are yesterday's problems. The attempt is honourably to dispose of them and to move on to the new problems, to get away from this excessive preoccupation of the last 35 years that at some times seems to occupy 85 per cent or 90 per cent of the time in Ottawa and Quebec City. That is much too much.

Since Bill C-110 is directed to the issue of constitutional change and its process, the issue of how do constitutions change has been raised. We have to recognize honestly that the constitutional amendment of 1982, chapter V, is a *réforme manquée*. It was an attempt to make a change, but it was not made.

Under the old conventional system that ultimately turned on an act of the British Parliament passed at the request of Canada, the Constitution had a large degree of flexibility. Today it is rigid, virtually impossible to change. In fact the only two measures put forward in the last 13 years, Meech and Charlottetown, have both failed.

So we do face the paradox that we have a rigid constitutional system and indeed any attention to this in a certain sense borders on being frustrated in the future.

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Constitutions are living documents. If they are not, they fail. Constitutions do change. Large masses of our constitutional law change by constitutional convention and custom.

I would have said that the role of the Senate as a non-elected body conventionally follows that of the House of Lords. If you do not have the legitimacy of election, you do not interfere with legislation that is passed by a democratically elected lower house. I notice the Senate has been avoiding this in recent days. We may perhaps have to remind it of this.

I simply point out that constitutional conventions through executive glosses is one way of changing a constitution. Constitutions change by judicial legislation. In 1982 I and others suggested to Prime Minister Trudeau that we consider a constitutional court, as they now have virtually throughout Europe in this post-communist reform and in Germany and other countries. Even so, the constitution changes through judicial interpretation.

Lastly, a constitution changes through the exercise of constituent power. Ultimately, all constitutional power comes from the people. It is quite clear that the country has the capacity to renew itself through an act of total revision at some time. It is not defined in the Constitution, but it is the ultimate source of power.

For those who worry too much, and I think unnecessarily, on reading this law and ask if we have put ourselves into a second constitutional strait-jacket after the 1982 amendments, the answer is no. I believe this generation of Canadians and British Columbians, many of whom I have taught, the many hundreds of thousands who have communicated their desire for one Canada, all have a rendezvous with the Constitution Act, if not this year then certainly by the end of the century. I think the new plural society we are getting in Canada today makes us a very unique country, a very distinct country in relation to the rest of the world. Multiculturalism is a living example of co-operation. I think we will find people will sit down and ask for a new constitutional charter, but not now. These people still have to be integrated in the political process. But it is occurring, and it is occurring before our eyes.

In the meantime, the government is committed to pressing for constitutional change in other areas, using the fact that by executive example and discussion and negotiation—friendly relations and co-operative federalism—the system can be changed. Transfer of power, not in an abstract sense, with those battles of the 1960s and 1970s before the courts, but identifying common problems all three levels of government need to work on together, is what the government is focusing on.

We have seen this in the third element in the Chrétien package that has been brought forward. It is going to occur in many more areas, such as in the electoral system and actions on the Senate, which may require going to the Supreme Court. We cannot do it

through the 1982 amending procedure. There is the role of the cities. We are responding to the new transnational societies of which Canada is a part. This is key to the 21st century. All these things are going on.

• (1135)

The Prime Minister has responded to the Quebec referendum vote in a way that can rally enough support throughout Canada. It has to be an all-Canadian response. However, constitutional change will go on. We will see more and more emphasis on co-operative federalism, change through give and take and discussion at all levels of government. Federalism, if it involves power sharing and common decision making, also recognizes that federalism is more, as Prime Minister Trudeau once reminded us, than a collection of shopping centres. There is a national role, national norms.

That is the challenge. The message is let us move on and bring peace to the Thirty Years War. Let us move on to the real economic and social problems. If we get that message, frankly, we have done honour to those who voted in the Quebec referendum on both sides and we have done something the people of Canada will understand and support.

**Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade, Lib.):** Madam Speaker, I congratulate my colleague on a very eloquent speech.

I had a chance to travel abroad on a trade mission and I met with many government officials in different countries. The first thing they asked me about was what is happening in Canada.

Canadians, including those in the province of Quebec, have to look at Canada from the outside. We have to leave the country for a while in order to appreciate what we have in Canada.

On an annual basis, in excess of ten million residents of other countries want to come to Canada. They believe, as do I, that this is the finest country on earth.

It is beyond me why my colleagues in the Bloc Québécois will not consider what the government is proposing and try to make it work. Give us a chance to make it work. That is the hope of many of the people in my constituency who have written to me or called my office. They have asked me to stand in the House to call on my colleagues in the Bloc Québécois to make an attempt to make this work.

I want to ask my fellow caucus member if he has heard from his constituents who have come from different parts of the world. Have some of those people shared their feelings about their love for Canada? If they have, I would like him to share that with the House.

**Mr. McWhinney:** Madam Speaker, I am happy to respond to my colleague, who is one of the most thoughtful members of our party and very much dedicated to the building of a new pluralistic Canada. We are a community of communities, in the sense Martin Buber offered. The interesting thing is that this society



works. People are co-operating. People are working together. We are integrating the new communities into the political processes.

I told the Prime Minister the other day that British Columbia is the most distinct society of all because we have more national communities integrated into the political processes and working together. The message British Columbians are sending is that this country can function as a plural society. It is doing it already.

One understands the distinctiveness of the French language and French culture in Quebec. We are prepared to respect that. However, we ask for similar respect for our distinctiveness, our culture, and the recognition that the larger Canada brings together all these elements into a new national outlook.

I believe the reason the Prime Minister is receiving these messages from all around the world is because we have succeeded. This is not Bosnia-Herzegovina. I could name many countries around the world where nationalism exists in an intransigent sense. We have found the formula, and that is the message we are trying to carry in our approach to constitutional governmental change, change in the federal system in the balance of our term.

• (1140)

[Translation]

**Mr. Ghislain Lebel (Chambly, BQ):** Madam Speaker, I would like to ask something of the member for Vancouver Quadra. In law, as you know, we often say that the greater includes the lesser. However, in the bill tabled this morning, it seems that they are saying that the lesser includes the greater.

I am totally confused. We rejected a lot more in the Meech Lake accord, but they are now saying that, in this proposal, they are responding to the wishes of Quebecers who voted no. Yesterday, they talked about the notion of distinct society in an insipid and dull declaration, just like we do with motions dealing with the national scouts week. Yesterday's motion had a similar effect. Today, a bill was tabled and I would like to ask the member how he can expect that we will accept something that we have already rejected in 1992, which was a lot more than this?

**Mr. McWhinney:** Madam Speaker, I would to say to the hon. member that I worked as constitutional advisor to many Quebec premiers. I was a member of the commission on French language and language rights in Quebec. For my part, I always believed in the tremendous potential and flexibility of the federal system, which can decide that bills such as premier Bourassa's Bill 22 and even Bill 101 can still be essential parts

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of the Government of Quebec as well as of our Canadian federal system.

The message in all of this is that the existing flexibility of our constitutional system will stay. We must have faith in the future. We are ready to give Quebec what we can under the existing Constitution, which is very flexible.

**Mrs. Pierrette Venne (Saint-Hubert, BQ):** Madam Speaker, here is a perfect example of why the Bloc Quebecois has its place in Ottawa. We are here to face a government that is constantly insulting the intelligence of Quebecers. It is with great reluctance that we are debating Bill C-110, which will go down in history as the last insult the federal government inflicted upon Quebecers.

Bill C-110 proposes a formula to amend the Constitution of Canada. It is simply a federal statute with all that it entails. It does not change in any way the amending formula since the procedures for amending the Constitution of Canada can be modified only through the procedure set out in section 41 of the Constitution Act, 1982. I will come back to this later on.

This bill does nothing but restrict the federal government's discretionary power to propose resolutions authorizing constitutional amendments. All in all, the federal government, being generous as it is, is lending to the provinces its constitutional veto. This bill brought forward by the Prime Minister and his associate, the Minister of Justice, adds to the numerous amending formulas already provided for in the Constitution Act, 1982.

It will take a Ph. D. in constitutional law to be able to understand all that. Let us take a look, if we may, at the amending formulas already provided for in the Constitution of Canada. Four legal procedures for amending the Constitution are set out in sections 38 to 44, Part V, of the Constitution Act, 1982. The most demanding formula applies only to fundamental changes to the Constitution.

Amendments in this category must be authorized by resolutions of the Parliament of Canada and of the legislative assembly of each province. That is what we call the unanimity formula. There is also another amending procedure for changes in the distribution of legislative powers between the federal Parliament and the provincial legislative assemblies.

• (1145)

It is the same procedure that must be followed to amend most of the provisions of the charter of rights and freedoms.

The changes must be approved by Parliament and at least two-thirds of the provinces that have combined populations of at least 50 per cent of the population of all the provinces. This is what we call the seven and fifty amending formula. It provides that major amendments could be made to the Constitution

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without Quebec's consent, because if Ontario were among the seven consenting provinces, the population requirement would be met.

The third formula relates to amendments concerning one or more provinces. They include changes to provincial boundaries and the use of English and French within a province.

The fourth procedure is found in section 44 of the Constitutional Act, 1982. It concerns changes to the executive branch of the Canadian government, the Senate or the House of Commons.

Now the Minister of Justice is proposing a fifth amending procedure. In the future, one will have to be very clever to be able to amend the Constitution.

Not only is the bill introduced by the Minister of Justice an insult to Quebecers, it is the deathblow to the Constitution.

The minister insults us by pretending to be following up on the promises made by the Prime Minister during the referendum campaign. He takes us for turkeys and is trying to shove his right of veto down our throats. He is debasing the concept and letting four regions of Canada use the federal's right to veto.

If anyone in this House believes that Bill C-110 does more than simply lend something from the federal to the provinces, he or she is sadly mistaken.

Not satisfied with adding to the constitutional jumble, the minister is strutting around saying he has a new formula for us. But it is a rehash, a *déjà vu*.

What the minister is serving up is a diluted version of the 1971 Victoria formula spiced to the taste of the day. Federal mandarins have not waited long before showing their true colours. The only solution found by this hypocritical government was to brush away the cobwebs from the Victoria formula of 1971 and take the right of veto out of it. A new and improved formula. What nonsense.

When the Prime Minister, through the Minister of Justice, introduces a bill proposing a regional right of veto and a motion dealing with the distinctiveness of Quebec, he adds insult to injury. He could not care less about Quebecers.

Neither the present Prime Minister nor his successors will be legally bound by the amending formula. If, God forbid, it should become a law this formula would be an ordinary act like any other act and it could be repealed any time by the federal government.

But how can we debate something we do not want to talk about any more? The Victoria formula was one of countless negotiations on constitutional reform. Those negotiations have been held ad nauseam but to no avail, except perhaps to deprive Quebec of the means it needs to develop itself in the Canadian federation.

Efforts to corner Quebec have been such that the province is stifled and can only survive by acceding to sovereignty. The justice minister is wasting his time and ours. Do you believe that after all the affronts it has been subjected to, Quebec is going to accept such a proposal? I remember. Like all Quebecers, «Je me souviens.»

Let us remember the so-called Saint-Laurent amendment of 1949, the 1960 Fulton formula, the 1964 Fulton-Favreau formula, Quebec's refusal of the Fulton-Favreau formula, the 1971 Victoria formula, the attempts by Pierre Elliot Trudeau in 1976, the 1978 and 1979 conferences, the Pepin-Robarts formula, the conference of September 1980, the patriation project of October 2, 1980, the infamous patriation of the Constitution in 1982, the 1987 Meech Lake Agreement, Meech II and its defeat in 1990, the Charlottetown accord and its defeat in 1992.

• (1150)

We will remember those 35 years of constitutional setbacks. The most recent affront sustained by Quebec is one too many. The Prime Minister of Canada, through his Minister of Justice, is today signing the death warrant of any possible constitutional reform.

The Prime Minister is swaggering about and boasting about his empty proposals. He has a short memory. He should play the recording of the address he made to the nation four days before the referendum of October 30.

I will never forget the sight of a desperate Prime Minister who did not have a clue about what promises to make next in order to win votes. A contrite and humble man.

Many believed in this Greek tragedy. Many fell for it and believed the Prime Minister's promise to make changes. Today, the Prime Minister is patting himself on the back, but there is nothing to be proud of. Bill C-110 is a big bubble that is bound to pop sooner or later. Everything has its limits.

The real purpose of the Prime Minister is to muzzle Quebec by stopping any future constitutional change. His right of veto is nothing but an illusion aimed at drowning Quebec in the Canadian sea. One people from coast to coast, with a wall to wall nationality.

This bill is a rehash of the 1971 Victoria proposal. In an article entitled "Modifying the Constitution or mummifying Quebec", in *Le Devoir* of May 15, 1971, Jacques-Yvan Morin had this to say about the Victoria formula: "You do not have to be a rocket scientist or even a sociopolitical expert to see what insurmountable problems Quebec will experience as soon as it tries to gain some significant change. Not that the amending formula is bad in itself—it would be perfectly acceptable in a homogeneous English state—but it does not take into account Quebec's aspirations or rather, it does, but to quash them".

I go on with the quote: "All in all, the anglophone provinces and the federal power are telling Quebec it can seek more powers and make as many major plans as it wishes, but it is only through them that it will achieve these goals. The new formula is the antithesis of the peoples' right to self determination. Under a benevolent exterior, federalism is in fact hiding dregs of colonialism".

Although this was written 24 years ago, it is surprisingly contemporary. This is to say that the federal government has not progressed that much since then. It is still intent on mummifying Quebec. Between the Victoria formula and the Meech Lake Accord, Quebec was taken for quite a constitutional ride in 1982.

As we remember, in 1980 Pierre Elliott Trudeau, the then Prime Minister, and Jean Chrétien, his trusted lieutenant, had solemnly sworn to renew the Constitution, taking into account Quebec's interests. The Constitution forced on Quebecers in 1982 decreases Quebec's fields of exclusive jurisdiction. Moreover, Ottawa gave itself authority to amend the Constitution without Quebec's agreement. Quebec's right of veto disappeared. As a result, Quebec has had no say on constitutional amendments likely to change its political future.

The unilateral patriation of the Constitution substantially reduced Quebec's legislative powers in matters of education and language. Since the patriation of the Constitution in 1982, the federal government has had a field day. It has continually intruded on matters under Quebec's jurisdiction, especially regional development, manpower training, cable television and several cultural areas.

• (1155)

Then the whole constitutional process got bogged down at Meech Lake.

When we talk about Meech Lake, we talk about the accord signed in June 1987 by the eleven first ministers of Canada. It was aimed at reintegrating Quebec into the Constitution "with honour and enthusiasm". There again, the results reflected the ill will of the federal government and of the English provinces.

Quebec had offered to sign the Canadian Constitution provided five minimum conditions were granted. Namely, distinct society status for Quebec; more power in matters of immigration; limiting federal spending power in Quebec's fields of jurisdiction; Quebec's participation in the appointment of judges to the Supreme Court of Canada; and finally, the right to veto constitutional amendments.

In June 1990 New Brunswick, Newfoundland and Manitoba reneged on their signature, thereby sinking the accord. Despite

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last minute negotiations at the premier level, Manitoba and Newfoundland refused to ratify the accord.

The day after its failure, the Prime Minister, who is now pushing a bill which is not worth the paper it is written on, embraced one of the most vociferous opponent to Meech, the Premier of Newfoundland, Clyde Wells. A Canadian version of Judas' kiss. I remember quite well, Madam Speaker.

The failure of the Meech Lake Accord, which was to be the answer to the basic requirements of Quebec and bring the province back into the constitutional bosom with honour and enthusiasm, definitely proved that Canada refuses to recognize, among other things, the distinct character of Quebec. This week, the Prime Minister went so far as to reduce the distinct character to the level of a simple resolution of the House of Commons, without any legal meaning.

We can certainly congratulate the Prime Minister for his consistency. He remains as sly as ever.

Let us continue our constitutional tour. In August 1992, the Charlottetown Agreement was signed by all representatives of Canada: ten provinces, two territories, four aboriginal organizations and the federal government. It was a "made in Canada" response to Quebec's legitimate requests.

That agreement was a watered down version of Meech Lake and Meech Lake number two. Among other things, it recognized Quebec as a distinct society, accepted the transfer to Quebec of all responsibilities in the cultural area and stated that the federal government would withdraw from municipal affairs, tourism, recreation, housing, mining and forestry.

On October 25, 1992, 57 per cent of Quebecers rejected the Charlottetown accord. They considered, with reason, that the agreement would give them only crumbs. The rest of Canada also turned down that agreement. English-speaking Canadians voted against it because they thought it gave too much to Quebec. Again another striking example of their love for Quebec.

In spite of his commitment to negotiate on a one to one basis with the federal government, Robert Bourassa agreed to negotiate with representatives of nine provinces, two territories, four aboriginal organizations and the federal government. He even approved the agreement which gave Quebec even less than the Meech Lake Accord.

For 35 years now, Quebec's requests for more power in the cultural, social and financial areas have been constantly rejected by the rest of Canada.

Again today, the federal government is laughing at Quebecers with this bill. I say this to the government: the constitutional circus is closed for good; stop acting like clowns.

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**Mr. Mac Harb (Parliamentary Secretary to Minister of International Trade, Lib.):** Mr. Speaker, the hon. member spent a lot of time talking about the process and much time lecturing us on the history of the last thirty years.

Like me, millions and millions of Canadians were not here during the last thirty years.

• (1200)

They were not here in 1947, nor in 1911. Millions and millions of Canadians came after that. Like me, these people and the rest of Canada are interested in finding a permanent solution. We are not interested in the process, we are interested in the objective. We want to find a solution which is comfortable for the francophones in Quebec and the anglophones and allophones in the rest of Canada.

Everywhere in the world we see borders being taken down. If you take the example of the European Union, you can see that borders are disappearing fast, even in France.

With the new information technologies there are ever fewer borders between countries all over the world, whether in Asia, in Europe, in Africa or in North America.

I wonder why our colleagues do not stop being so vicious, so idiotic and so indecisive. Why do they not give us a clear picture of what they want? Do we want to build a multicultural, multi-ethnic and multi-community country for all Canadians? Or is the final object the separation of Quebec from the rest of Canada?

Indeed, we are wasting time talking about process and history. I was not here in 1841 and I am not interested in what happened in 1841, in 1857 and in 1911. What I am interested in is a modern country, because Canada is the best in the world. The best country in the world, as we have been told twice by the United Nations.

I ask my colleagues to focus on the real problems of Quebecers; the real problems are the economy, the unemployment rate and the political instability that are affecting many business people who are thinking about investing in Quebec or doing business with Quebec. Thanks to my colleagues from the separatist party in this House, they are saying: we will wait until there is stability.

Let us hurry up. Let us work with the Prime Minister, with the current government, because this government is willing to find a permanent solution to this crisis. The time has come. The time has come to let go of things that happened 2,000 years, 200 years, 20 years ago. Let us talk now about the future.

**Mrs. Venne:** Mr. Speaker, I am quite astonished to hear a member of Parliament tell us that he is not interested in the past. I must admit seriously that this is inconceivable, when we know that analyzing the past allows us to avoid making the same mistakes.

**Mr. Bernier (Mégantic—Compton—Stanstead):** The past is the key to the future.

**Mrs. Venne:** As my colleague just said, the past is indeed the key to the future.

That someone would have such a vision of society is really astonishing, but I do not want to insist further. I think that he just got carried away.

On the other hand, when he asks us if we intend to build a country, then obviously, we say yes. That is our goal. We want to build a sovereign Quebec, an independent Quebec.

**Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ):** Mr. Speaker, I have two comments for the hon. member opposite. First, I must point out that the purpose of the European Union is not to eliminate borders, but to preserve its member states' sovereignty while delegating, collectively and sovereignly, some of their powers to a common authority. In other words, the European Union is doing precisely what we intend to do in Canada. It is showing us the way.

• (1205)

My second comment concerns the best country in the world. I have had enough of hearing that Canada is the best country in the world. If Canada is so terrific, it is not because it is a federation. It is because Quebecers and Canadians are active, inventive and energetic people, but it really has nothing to do with being a federation, because many other federations exist where there is no prosperity, Russia, for example.

The system is not what makes us a good country, Canadians and Quebecers do. If the country was split in two, both halves would still have the same qualities, because, when you slice a cake, each slice is as good as the whole cake.

**Mrs. Venne:** Mr. Speaker, I can only commend my colleague for Blainville—Deux-Montagnes for his excellent comments. I totally agree with his words.

[English]

**Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I am absolutely delighted to take part in this debate today.

It is very interesting that I have the opportunity to make my remarks on behalf of the people of Halifax and Nova Scotia in the wake of that impassioned intervention by my hon. colleague from the official opposition. There is no question that this is the best country in the world in which to live. I am not going to argue the whys and wherefores with the hon. member because a universal truth is a universal truth. The universal truth is that Canadians from sea to sea to sea are the most fortunate people on Earth.

I come from what is normally known as a have not part of the country. It is quite true that there are many things that we have

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not in Nova Scotia. However, one of the things that we have, one of the things we opted for and one of the things we chose was Canadian citizenship. It is something we hold most dearly and most precious.

It is not merely because we live in Nova Scotia, which I think is the best place in Canada to live, just as I know my hon. colleague, the Minister of Citizenship and Immigration, thinks that Toronto and its environs is the best place in Canada. I know that my hon. colleague from St. Boniface thinks that Manitoba is the best place to live and my colleague from London thinks that London is the best place. My colleague right over there from Alberta thinks Alberta is the best place to live. We all look at the rest of the country as the setting for our own particular jewels.

I want to speak today to the passion which came from my colleague from the province of Quebec. I understand that passion as I think we all understand it, but that does not need to diminish our Confederation or our country.

On Saturday I attended a meeting back in my riding. I sat next to a prominent Nova Scotia businessman. He raises money for all sorts of good causes, one of them being the Liberal Party. He told me he had been called upon by the premier and the minister of public works to help raise money to ensure that students and seniors who wanted to go to the rally in Montreal were able to go. He said that in over 20 years of being a fundraiser for various charitable causes and various political causes, he had never raised money so quickly. There was such a good response and such an absolute desire on the part of the people he called to contribute and to help because it was for our country.

• (1210)

In my own family, my father's two surviving brothers went to Montreal after World War II and raised their families there. It is very interesting because my cousins in Montreal are a microcosm of Canada. Some of them have Irish last names, some of them have English last names, some of them even have Italian last names, and some of them have French last names.

In my family while we may not be pure laine, we are purely Canadian. My cousins who live in the greater Montreal area will say that they are Quebecois and they are proud Quebecois. They and their children will continue to be proud Quebecois.

The whole point of this debate, the whole point of this resolution is to follow up on a promise made by the Prime Minister on the responses of Canadians right across the country to the fact that Quebec is indeed a distinct and integral part of the Canadian federation, a distinct and integral part of the Canadian identity. We could no more see Quebec leave our federation than we could as individuals cut off an arm or a leg, or lose an eye.

As we debate this here today and in subsequent days, it is terribly important for each of us to listen to each other and to understand that one region of Canada does not seek and never has sought, at least not in modern times, to defeat or humiliate the other side.

That day in Montreal when I saw 150,000 Canadians converge in that square, I knew I was part of something very special. I knew that approximately—numbers are hard to be absolutely sure about—40,000 Canadians came from the other regions of Canada. There were 150,000 people in the downtown core of Montreal. It is clear that a vast majority of the people in that downtown square were Quebecois. They were people who were saying to their fellow Canadians: "We want to stay. We want to hear from you that you understand we are different".

Whether we are from Quebec, Newfoundland or British Columbia, we do understand that there is a distinctiveness and a difference in our fellow citizens in la belle province. We know their language, although that too is shared with francophone Canadians in almost every other province and territory. We know their culture and the incredible richness that is the ongoing Quebecois culture within the Canadian mosaic is something that every Canadian benefits from, not just those within the borders of Quebec itself. We know Quebec's civil code again makes them different and distinct from the rest of us.

Every single one of us celebrates that difference. We celebrate the fact that we can share. We can build a Canada that is a better place, whether one's language is English or French, whether one's ancestral origin is western Europe, eastern Europe, Africa, the Far East, or whether one is an aboriginal Canadian. None of these things matter in the desire to make a better place for our families, our children and our communities. I do not want my friend over there to be upset or to take this the wrong way. What matters is that this country is the best place in the world to live, whether you live in Quebec or Manitoba or Nova Scotia. Yes, we have problems, problems that those of us here in the House must work together to solve.

• (1215)

Most of us in the Chamber have had the opportunity to go elsewhere. We have seen the Russian federation. We have seen countries of the world where people are clamouring to come to Canada, to Quebec, Ontario and British Columbia. We are trying to make them clamour to come to Nova Scotia too. Some day they will find out that is a good place to live as well. They are clamouring to be part of this incredible and unique and crazy idea which is Canada.

I think we all understand the desires for recognition in the hearts and minds of our colleagues from Quebec. We are saying that there are similar desires in different areas for all Canadians. We cannot maintain this incredible and bizarre idea, this federation, this country, by standing back and hurling implications at each other. It cannot be done by being accusatory or by

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suggesting motives that are less than applicable in these situations. It is done by reaching out to each other the way we reached out in Montreal on that incredible Friday and the way all Canadians, English and French and allophone continue to reach out to each other.

As many have said, this resolution is a step in that direction. It is something that the federal government, the Prime Minister and those on this side of the House sincerely believe is a response to the things the people of Canada asked us to do, including the people of Quebec.

[Translation]

**Mr. Laurent Lavigne (Beauharnois—Salaberry, BQ):** Mr. Speaker, I listened carefully to what the hon. member opposite was saying, and I would like to comment on some aspects of her speech.

For instance, she made a big thing of this reaching out to us by people from western Canada, from Vancouver and Saskatchewan and the other western provinces. I want to tell her I do not question the feelings of love and affection these people showed Quebecers, except that it was made very easy for them. For instance, air fare from Vancouver to Montreal probably costs from \$2,000 to \$3,000, and these people got their tickets for \$150 or \$200. Now what if the situation was reversed? If Quebecers wanted to go and visit Vancouver, I am not so sure people would do us a favour and offer us tickets at \$150 a piece. One starts to wonder how genuine this love and affection was. It was a great opportunity to visit Montreal on the cheap.

And I also noticed in her speech that she referred to Canada as a wonderful host country for immigrants. I agree, but what difference would it make if Quebec became sovereign? Immigrants who want to go to Vancouver or Halifax, or Saskatchewan or Quebec would still be able to go there.

• (1220)

In our blueprint for a Quebec society, we did not say that if Quebec became sovereign, we would stop immigration. I think the civility and warmth that are typical of Quebecers would make Quebec a very good host country for immigrants. I see no problem there. Why this claim that immigration can only work within this so-called great Canada? I do not understand.

Are you implying that a sovereign Quebec would not be a good host country for its immigrants? Is that what you mean? Is this Canadian federation the one and only panacea? Is it impossible for a sovereign Quebec and English Canada to each find their own way outside this Canadian federation instead of going on as we have done for the past thirty years and wasting time, money and effort, on all this constitutional wrangling?

In Quebec, successive provincial governments from Jean Lesage to Mr. Parizeau have tried time and time again to find ways to stay in Canada, but they never succeeded. Are we going to go on for another thirty years about Meech Lake, Charlottetown and constitutional problems? We are fed up. We want to go on to other things. We have tried everything, but nothing works.

We never managed to reach an understanding. What makes you think that by continuing the constitutional debate between English Canada and Quebec, we would manage to agree? When I consider all the attempts made during the past thirty years, I see no reason to believe that continuing this useless debate will accomplish something positive. Instead of this endless bickering under the same roof, we would be much better off as good neighbours.

**Ms. Clancy:** That, Mr. Speaker, is unfortunate. I did not say anything about Quebec not welcoming immigrants. The province has a good immigration agreement with the federal government.

[English]

At no time did I suggest that immigrants were not welcome in the province of Quebec. I did make reference to the question of pure laine and by implication to the remarks by Mr. Parizeau. However, I do not by any means attribute those to Quebec and its history of welcoming immigrants.

It was unfortunate my colleague cast the kind of aspersions he did in his opening comments. It is clear that he looks the wrong way. He should have listened to my remarks. Perhaps he is not aware of it, but I am not from western Canada. I do not know what the situation was vis-à-vis the airlines.

I have flown to western Canada many times, to your city, Mr. Speaker, and to cities farther west. If the hon. member is not aware of it, even for \$50 to get on a plane and fly from Vancouver or Calgary to Montreal, go to a rally for two hours, get back on a plane and fly back to Calgary or Vancouver is not a joy ride. It is exhausting, tiring and cramped. If it is not done out of love then there are thousands of people in western Canada who possibly need to have their heads examined for doing this.

The hon. member is really reaching when he suggests that people took advantage of cheaper air flights to have a good time in Montreal, not that Montreal is not a city where a wonderful time can be had. But I would suggest that very few people had the opportunity to do that on that Friday. Time schedules were very tight.

Second, as the hon. member heard me mention in my earlier remarks, my good friend, the fundraiser, raised all that money joyfully. People just rushed to contribute. Many people from Nova Scotia came at no cost at all because the money was raised by contributing businesses in Nova Scotia. Again, those people did not have any time to enjoy the benefits of Montreal. They

went to speak from their hearts to their love of country and their love of Quebec.

• (1225)

[Translation]

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, I would like to start my speech by looking at the situation in which we now find ourselves. I think that Canadians, including Quebecers, have a better understanding of the role played by the Prime Minister of Canada and his government. They understood it yesterday and they understand it even better today.

If we look at the current situation, we have on one side the Bloc Québécois, which wants to separate. They use words like “sovereignty” but we know that it really means separation. No wonder they refuse to even look at this proposal, to review it, to consider the possibilities. No. What they want is their own country, period, no negotiations, no flexibility, no open mind, no nothing.

On the other side—as Canadians can see—is the other extreme. All they have to say about the government’s proposals is, “No, no, no, they are giving too much to Quebec and Quebecers”. I find this alarming. The two extremes here in this House refuse to make any efforts to consider what the government is proposing.

[English]

I mentioned in the House yesterday that I had checked *Maclean’s* of 1989. In one edition in a specific article the leader of the third party suggested that distinct society had certain possibilities. In fact he stated quite clearly that words were not important if people really wanted to get together and work things out. That is what is said in that article.

All of a sudden, no. Why would he think that in 1989 and have no openness today? It is quite clear. From his perspective and that of his advisers there appears to be an opportunity for his particular party, his particular view of Canada, his particular set of policies. Is it Canada first? Absolutely not. It is the party first and whatever happens to Canada, so be it. I find that most unfortunate.

It is also interesting that the question of the regional veto is also one that the Reform members have supported. They want a regional veto to stop certain amendments. I have found that most interesting.

All of a sudden when we propose a veto that does not make a constitutional change, which would give additional protection to the provinces, which adds and does not take anything away, do you think Reform members would explain it that way? Would they attempt to talk with Canadians and say: “This is not necessarily what we wanted exactly but we have a proposal that

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is not terribly dissimilar to this?” Of course not. Why not? It is quite simple. Again, it is their political agenda. It is their political party that comes first, not Canada. That is unfortunate.

That is why some people see them as two sides of the same coin; that is, we have one party that clearly states

[Translation]

“we want to separate from Canada, we want our own country”.

[English]

and the other party whose members try everything in order to crush, to deride, to set aside, not to look at openly, the proposals that are being made by the Prime Minister and the Government of Canada.

Their policies hold a lot of contradictions. They suggest that they do not want this regional veto, but they have a regional veto on their books. They want one for B.C. but not for Alberta. The last time I checked they were pretty close in population. I guess that is what they want, I do not know. Perhaps they want one for all of the provinces. Perhaps they do not know what they want.

[Translation]

I now come back to the issue of distinct society. Distinct is defined as including the language, culture and institutions unique to Quebec. I find this quite commendable and acceptable. Like the vast majority of Canadians, if they made an error in judgment, they will soon find out.

• (1230)

What is interesting, as you know, is that we now need unanimity on a number of issues to amend the Constitution. Nothing can be changed without the provinces’ unanimous consent on a number of issues, on which I will elaborate later.

There is another clause providing that no changes can be made without the consent of seven provinces representing 50 per cent of the population. This bill deals mainly with the principle that the 7–50 formula cannot be implemented without the support of the four regions. These regions include Ontario, Quebec, western Canada—which means British Columbia and another province—, and the Atlantic provinces. This means two provinces representing 50 per cent of the total population.

What is really frustrating is knowing full well that the Constitution remains unchanged, that a little something extra has been given to everybody, that they already have a proposal in hand fostering this kind of veto and that they feel their party should come first, and the country second.

I would now like to use the little time remaining to answer the most commonly asked questions. “Why not table a constitutional amendment?”, our constituents ask. But we know that the leader of the Parti Québécois, the potential Premier of Quebec,

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has already made it clear that he does not want any constitutional amendment. That is clear.

The purpose of this bill, on the heels of the Quebec referendum, is to show where the elected representatives of the Canadian people stand on this issue, and we will soon know it. We also know that the Constitution requires that a first ministers' conference on the amending formula for the Constitution of Canada be held by April 1997. Constitutional amendment proposals, if any, will be considered at that time. This bill would in fact bridge the gap until then.

There are other questions.

[*English*]

For example, what is covered and what sorts of future amendments would be blocked by this bill? The real impact will be on the amendments covered by the same seven and fifty rule, as I have mentioned, changes to the division of powers in favour of the provinces, changes to certain provisions relating to federal institutions, extensions or additions of provinces in some general amendments.

Another question that is frequently asked is how does this bill differ from what is already in the Constitution. This bill does not change the Constitution or the amending formula. They know that, but of course they are not going to say it. It simply indicates how the government will conduct itself with respect to its own veto. It is willing to loan out its veto. That is what it does.

There are significant vetoes already in the Constitution for provinces individually. For example, each province has a veto over matters requiring unanimity, such as the composition of the Supreme Court and the amending formula itself. Each province has a veto over any changes in its boundaries or the constitutional provisions specific to a province.

In addition, there is the right to opt out of amendments transferring provincial jurisdictions to Parliament and to receive reasonable compensation if the amendment pertains to education and other cultural matters. This gives another type of veto to a province.

The bill creates a regional veto, in effect, with respect to changes to national institutions such as the Senate and the Supreme Court, the creation of new provinces, and all amendments that transfer power from Parliament to the provinces.

Another question raised is whether the Constitution already provides provincial vetoes—does the bill provide for any double veto? There are all kinds of amendments whereby provinces already possess such a veto, such as changes to the composition of the Supreme Court or to the boundaries of a province. They are expressly exempted from the operation of the bill. So too are amendments from which provinces can opt out under subsection

38(3), those which derogate from provincial rights and powers expressly exempted through the operation of this bill.

● (1235)

Would the regional veto formula make it more difficult for Quebec to separate? One view of the constitutional amending formula as it stands now, which is a very common view, is that the consent of all provinces would be required for Quebec's separation.

How would the regional veto formula work in practice? This is a particularly important question because it is the very heart and soul of the issue. When at least six provinces, including Ontario and Quebec, two Atlantic provinces with over 50 per cent of the Atlantic population, and two western provinces with over 50 per cent of the western population have indicated their consent by resolution, referendum or government approval, et cetera, the federal government would be free to proceed with resolutions in the Senate and the House of Commons. If one or more of the regions fail to provide their requisite consent, the federal government would not proceed with resolutions, even though seven or more provinces with over 50 per cent of the population had adopted resolutions under the current amending formula to authorize the amendment.

We have talked about the kinds of combinations that would be required for western and Atlantic provinces to get a veto under the regional formula. I want to repeat this because I think it is important. In the Atlantic provinces, Nova Scotia and either New Brunswick or Newfoundland would have a veto. New Brunswick would be in the same position with either Nova Scotia or Newfoundland as would Newfoundland with either of the others. P.E.I. would not have a veto except in combination with two of the other three.

In the west, B.C. with any other province would have a veto. Alberta would have a veto with B.C. but not with either Saskatchewan or Manitoba alone. Saskatchewan and Manitoba together would not have a veto.

[*Translation*]

It is important to note that we are not dealing with a new veto. The bill indicates only how the existing veto is exercised at the federal level.

I am running out of time. That is unfortunate, because I would have had so much more to say. But I will conclude with, perhaps, one last comment.

As I pointed out at the beginning of my speech, these proposals concerning a distinct society, this bill and the right of veto are all part of an effort to build a better country, a country in which people work together and better understand each other.



*Government Orders*

**The Deputy Speaker:** Unfortunately, the hon. member's time is up. Is there unanimous consent to give the hon. member more time?

**Some hon. members:** No.

**Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ):** Mr. Speaker, I think that our hon. friend from St. Boniface has said enough for now. He will have an opportunity, during questions and comments, to expand on his thoughts concerning the bill before us.

I have a comment for him. Then, I will give him the opportunity to respond to my comment.

I listened very carefully to what our colleague from St. Boniface said. More often than not, in fact I should say usually, he takes things seriously. Having held important functions in Manitoba, he is familiar with the meaning of the words and concepts we are dealing with and he can fully grasp them and deal with them. He must know what this bill we are debating means and how far-reaching it is.

Indeed, I am surprised, to put it mildly, that he is adding so much confusion to the debate. One thing is sure—he said so himself several times in his remarks, both in French and in English—the bill before us does not change anything at all. What we have here is the status quo, no change. If this bill does not change anything, why table it in this House? I will go into this further later today.

• (1240)

You will probably be amazed to hear what has prompted the government to put this bill forward at this point in time. But what I want to emphasize right now is the element of confusion introduced by the hon. member for St. Boniface in his remarks by insisting and suggesting that this bill will actually change something and that a lot of noise can now be made around Quebec's new right of veto on any future constitutional change. That is wrong.

At the same time, he says the bill does not change anything, that what we have here is the status quo, that the good people of English Canada, outside Quebec, have nothing to worry about, because there will be no change. Supposedly, all they are doing, the only impact this bill will have will be to give the federal government a new set of rules to go by, under which it will try to determine if the changes it contemplates would garner the support of a number of provinces or certain regions of Quebec and Canada. That is what he is telling us, but basically what he is saying is that there will be no change.

I would personally like the hon. member for St. Boniface to tell us which part of his remarks we are to believe. Which part should we give credence to? The part where he tells Quebecers: "You will have your veto"? Or the one intended for people outside Quebec, which says: "Nothing will change"?

Could the hon. member clarify?

**Mr. Duhamel:** Mr. Speaker, I am pleased to answer the hon. member's question.

It was certainly not my intention to add to the confusion, and I apologize if I did. I thought I was clear when I said that, for example, provinces currently have a veto. All the provinces have a veto over certain issues. I also said that, as regards other issues, the support of seven provinces representing 50 per cent of the country's overall population was required. I added that this bill would be used to see if we could activate that 7-50 formula.

The member who just accused me of adding to the confusion is fully aware of the situation. This is what is annoying and, if it were not also funny, I would really be upset.

The member is the one adding to the confusion, because he claims that what I said is inaccurate. I invite him to check my notes, to look at *Hansard* and to rise in this House to publicly refute my comments if he thinks they are contradictory. There is no contradiction. It is the constitutional status quo. There is a new mechanism to ensure that some elements of the Constitution are used in a certain way. It is wrong to claim that this will not increase the power of Quebec, Ontario and the other provinces. The member knows that.

I also want to point out that he did not allude to the distinct society concept. I suppose he will again accuse me of adding to the confusion. There is no confusion. We recognize Quebec as a distinct society, because of its language, culture, and unique institutions. There is nothing complicated in that and it is absolutely fair.

If the member is willing to co-operate, I am prepared to do the same and to clarify our terms. It is unfair and wrong to use a term such as English Canada. There is no such thing as an English Canada. We live in a country called Canada, which includes a number of provinces and territories, and the member knows that as well as I do.

In making such a comment, he tries to put in the minds of Quebecers the notion that French is spoken in only one part of the country. I, for one, am proud to speak French. Some people back home, and west of it, speak it better than I do. There are quite a few of them. As the hon. member knows, there is also quite a large number of people in Atlantic Canada who speak French and who are proud to do so.

• (1245)

It is misleading to use the expression English Canada, as the hon. member did, because it is both inaccurate and wrong. I must say that he is not the only one to do so. I would appreciate it if he and his colleagues made a commitment to stop using that expression.

*Government Orders*

[English]

**Mr. Ian McClelland (Edmonton Southwest, Ref.):** Mr. Speaker, I remind the Chair that I will be splitting my time with the hon. member for Vegreville.

As I speak to this unity debate I am very mindful that I represent all of the people of Edmonton Southwest. I represent everyone whether they voted for me or for someone else. It is absolutely essential that members of Parliament remember the fact that we represent every one of our constituents and that all 295 of us in combination represent all of the people of Canada, whether they voted for us or not.

When I go home tonight I will be seeing my brand new granddaughter who I have not seen a lot of because I have spent so much time in the nation's capital in Parliament. Everything I do is directed toward my children and grandchildren. It seems reasonable that we in the House should have our eyes firmly fixed on the future.

The tragedy is that so many people of Canada are represented by members in the House who have their eyes firmly fixed on the past. While we all recognize that the foundation of the future is the past, we cannot live in the past. There is nowhere to go. The past is dead. There is nothing in it for us. If we as a nation continue to live in the past, we are never going to spring into the future which belongs to our children.

Our generation and preceding generations have managed to somehow magically saddle our children and grandchildren with a debt which has been built up over a number of years. In addition to that we have saddled them with a relationship of our constituent parts which has been fractious and has not worked smoothly for all of my adult life.

The rest of the country has tried at various times to coerce or to buy the affection of Quebec through constitutional changes, quasi-constitutional changes, outright money or outright advantage. For instance, to satisfy the people of Quebec the now infamous CF-18 maintenance contract went to Quebec. None of this has worked. Constitutionally, we are still at exactly the same place today as we were 30 years ago.

All the primary protagonists of this debate are from Quebec. Every damned one of them is from Quebec. The Prime Minister is from Quebec. His primary advisers are from Quebec. The leader of the Bloc Québécois is from Quebec. Obviously all of the Bloc is from Quebec. We have to ask ourselves why the rest of Canadians are being dragged along as helpless spectators as these people go through their never ending Gordian knot they got themselves into. It is almost as if the leader of the Bloc and the Prime Minister both represent the past. They are bound so tightly to the past that they are unable to see the future. They are unable to see how Canada has grown and how Quebec has grown since the silent revolution.

• (1250)

I ask myself, why in the name of God are we trying to satisfy the separatists? Why are we trying to satisfy people who would break up the country at the expense of federalists? What is it in the nature of this debate that causes us to be so shortsighted that we would risk the future of the country, that we would risk the west of the country in order to satisfy separatists in Quebec who will never be satisfied?

It is our responsibility to build for the future, not for the past. Our responsibility is to our children and our grandchildren and to their children, not to our grandparents and our parents. It is to the future, not to the past.

On the record I would like to quote from a book entitled *Rights of Man* by Thomas Paine, one of the architects of the American constitution. The American constitution has lived for all these hundreds of years because it is flexible, because it is living, because it has room for everybody in its constituent parts to grow. He states in his book:

It is the living and not the dead that are to be accommodated. When man ceases to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organized, or how administered.

Members would recognize the corollary of that in which he states: "The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies". What he is saying is that each generation has the right and the responsibility to govern for its time and should no more bind the hands of future generations than our generation should be bound by the past. This then brings into play the whole notion of whether or not a veto is reasonable in a democratic federal state for anyone under any circumstances based on the notion of tying the hands of future generations.

Everybody had a reason to vote against the Charlottetown accord. Mine was that I did not think it was responsible for our generation to tie future generations into a Constitution that would be so inflexible it could not be changed. Is that any legacy to leave to future generations? Do we have that little trust in our children and our grandchildren that we would bind them to a Constitution in cement?

This brings us to part two of the Prime Minister's new amending formula. If we saw our country from outer space or if we came to this country and we saw this as a blank canvas, how would we and what would we do to make it work? Surely in this country which extends over 5,000 miles from one coast to the other with just 30 million people in it, there is elbow room for everyone. Surely we can figure out a way that we can live together in peace and harmony and with mutual respect. Surely this is not an impossible situation.

The suggestions we have brought to the table concerning the amending formula or veto keep in mind that all of us, every single human being in this country and in this world, are equal by virtue of the fact that we are human beings. When we gather under an apple tree or when we gather in a room and we determine what rights we are going to have, we do not do so based on whether we are male or female, whether we speak French or English, or whether we are black or white. We gather together and through commonality we have governance because we are human beings, because it is in our best interests and our common interests.

• (1255)

How would we go about doing this? How would we make our country work if we had a clean slate and we could start from scratch? It seems to me that if one group in our country feels threatened and feels that the only way the group can protect its future is through a constitutional veto that gives it the authority to ensure that nothing in the future without its consent can have impact on the group's language, culture, civil code or the way in which it has evolved as a society, what is wrong with that? It is a recognition of the obvious, that Quebec is a distinct society. Of course Quebec is a distinct society.

How do we go about recognizing that without at the same time suggesting to other Canadians that they are less distinct or somehow not favoured? We do this with an amending formula based on the regions of the country, but most important the ratification is done by the people through referenda, not by the Parliament and not by the legislatures.

The reason for this is very important. Most Parliaments and most legislatures can have a decided majority yet that majority may only have received a minority of the votes cast. This Parliament is one such example. The Liberals have a huge majority of seats with a minority, 43 per cent, of the votes cast.

The only way we can possibly ensure that changes to the Constitution will bear the imprimatur of the people is to ensure that these changes are ratified through a referendum. That is one exceptionally important reason.

The regions are important because they are and have always been homogeneous groups. The region for Alberta, Saskatchewan and Manitoba has always been referred to as the prairies. Everybody knows that. No one has ever described British Columbia as the prairies. British Columbia is growing at a great rate and in one generation will equal the population of Quebec. Alberta is growing more quickly but is balanced by Saskatchewan and Manitoba. It works, and if it works why should we be tied to an amending formula which came from people who woke up from a Rip Van Winkle sleep and said: "Let us just drop the Victoria amending formula on top of this today". That is not the kind of flexibility we require.

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The final comments I would like to put on the table today have to do with how we got into this mess in the first place. How did we go about giving legitimacy to this notion of two nations? How did that come to pass?

We have been blessed with some very fine Canadians over the years. One such very fine Canadian was Eugene Forsey. Eugene Forsey was a constitutional scholar. He was recognized by friends and foes alike as one of the paramount constitutional scholars in our country. All his living life he supported the New Democratic Party. In 1961 he left the party because of the notion of two founding nations which it never was; it was one nation from the very beginning.

**Mr. Leon E. Benoit (Vegreville, Ref.):** Mr. Speaker, in a hastily planned and executed press conference the Prime Minister announced the Liberal government's agenda for change.

The package the Prime Minister has put forward is both negative and divisive. He offers Quebec distinct society status which Meech Lake and Charlottetown have demonstrated to be divisive. He is offering the regions of Canada a veto power, which means the ability to stop change instead of the ability to offer change, change which is so badly needed in this country.

The Prime Minister gives the provinces control over manpower training. While this might be a step in the right direction, he chose not to go all the way. He offered the provinces the responsibility but the federal government still controls the purse strings.

• (1300)

Bill C-110 proposes to divide Canada into four regions: the western provinces of B.C., Alberta, Saskatchewan and Manitoba; Ontario; Quebec; and Atlantic Canada. The bill gives the four regions a veto over any constitutional amendment which includes changes to national institutions and the creation of new provinces and amendments regarding the distribution of powers. Currently only the House of Commons holds a veto over most constitutional amendments.

The bill is not a constitutional amendment or even an amending formula. It is simply an unenforceable code of conduct for the federal government. The bill promises the federal government will oppose any constitutional amendment, even one Ottawa puts forward, unless the amendment is consented to by the four regions.

The four regions proposal is a slap in the face to western Canada. If all the west, the netherlands as the Liberal government seems to consider the west, is allocated as one region, obvious problems come forth. If sometime in the future B.C. has a population which exceeds the combination of the population of Saskatchewan, Manitoba and Alberta, and that seems very likely, Alberta, Manitoba and Saskatchewan will lose all real power in terms of constitutional change.

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First, they lose it to B.C. because if B.C. becomes more populous than the other three provinces together it will have a majority which will carry under Bill C-110.

Second, under the provincial government ratification procedure now in place a change will be able to get the required support of seven provinces without getting the consent of Alberta, Saskatchewan or Manitoba. Clearly the three prairie provinces lose out under this proposal.

Under the legislation if a region refuses consent it vetoes constitutional change. Because the bill is vague Quebec would be able to veto constitutional change through a written statement from the premier, a resolution from the National Assembly of Quebec or a province-wide referendum.

Therefore the bill would provide a veto of any constitutional change the province of Quebec or Ontario did not want. This change gives the current separatist premier of Quebec a veto over any constitutional change. How much sense does that make? I will touch on that subject a little later in my speech.

The bill is not part of the Constitution and therefore the existing amending formula still applies. If the existing formula still applies and we add the new formula, it would not only give central Canada a veto but it might require unanimity.

Bill C-110 would create a system where there are two rounds of provincial ratification with little federal say in constitutional amendments. Under the current system each province has its say. The federal government, presumably acting on behalf of a united Canada, the country as a whole, is a necessary and vital part of the process.

Under the legislation the government proposes to delegate the important responsibility of constitutional change not to Canadians but to provincial legislatures. The provinces will be consulted twice: once under the old amending formula and once by the federal government in determining whether to apply its veto in support of provincial concerns.

The provinces will look after provincial interests and the federal government will ensure that provincial interests are respected. With the federal veto delegated to the provinces, no one will be looking out for a united Canada, Canada as one country, which is what Canada is.

• (1305)

Can the government not see that Canadians deserve more? They deserve carefully thought out proposals made in the open and not behind closed doors and not by a top down centralist government. They deserve forward thinking proposals, not the reheated leftovers of the failed Meech Lake and Charlottetown accords.

In contrast to this negative and certainly divisive approach by the government the Reform Party has offered Canadians a new and better Canada through our new confederation proposal. The proposal includes a plan to modernize and decentralize the

federal government by transferring certain powers to the provinces and the people while strengthening other federal powers.

The proposal also includes a plan to renew certain federal institutions. Among the 20 proposals Reform would guarantee provincial control over natural resources, language and culture. Reform would change the federal role with regard to provincially administered social services such as welfare, education and health care. Reform would foster co-operative agreements rather than impose unilateral standards which are enforced by threats to withhold federal funding.

In addition, the proposals would provide for a further decentralization of powers through an overhaul of federal institutions, for example Parliament, the Senate, the Supreme Court of Canada and the Bank of Canada.

These measures would give the power to the people and to the provinces where it is needed. In turn, it would reduce duplication and interference from Ottawa in areas where it is not needed or desired. Canadians have long been concerned about the concentration of too much power in the hands of the federal executive and the cabinet. The proposals give Canadians a new and more accountable system of government for which they have been asking for some time. I believe Canadians want change. They do not want more constitutional wrangling. The proposals can be realized without reopening old constitutional wounds.

The proposals that have been presented demonstrate once again the lack of a democratic approach on the part of the government. We have seen in the past the lack of democracy in legislation, for example Bill C-41 and Bill C-68, the gun control bill, where MPs who dared to vote against the government—

**The Deputy Speaker:** I am sorry but the hon. member's time has expired.

[*Translation*]

**Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General of Canada, Lib.):** Mr. Speaker, I should like to point out regardless, and particularly to bring it to the attention of our viewers today, that this is a historic day for Canadians and for all Quebecers as well, of course.

Yesterday the Prime Minister announced recognition of Quebec as a distinct society. Of course, we spoke about a resolution. Today it was decided that we would speak of a veto right for Quebec, as well as for three other regions of the country, of course.

Quebec has also experienced in recent months, in recent years in fact, a debate which has forced the population to make a choice. And the choice Quebecers made in the referendum on October 30 showed that they want to remain within the Canadian federation.

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I count myself among those who acknowledge that discussions were stressful at times and that, unfortunately, the Leader of the Opposition did not hesitate to divide Quebecers.

• (1310)

Several conclusions may be drawn, I believe. What people want is change. But some, Quebecers in particular, want change without a break-up. This is undeniably the conclusion reached from the referendum, its results and the interpretation we have made of them after consulting the pollsters. Very nearly two thirds of Quebecers want the Government of Quebec to reach agreement with the Government of Canada in order to move ahead with change, not only changing the Constitution but also, and above all, addressing economic and job creation issues.

I listened with a great deal of attention and interest to the speech the Leader of the Opposition gave yesterday afternoon in this House. I found it regrettable that the Leader of the Opposition, who has always claimed to be a spokesman of sorts for some of the people of Quebec, does not wish to acknowledge that Quebec is a distinct society and is not prepared to support us, the Government of Canada and the people of Canada, in finally recognizing Quebec as a society that is distinct by virtue of its language, laws and culture. I find it unacceptable that a leader, a member from Quebec like the Leader of the Opposition, will not line up on our side to defend the true interests of the province and of those whom we represent.

For some time now, and today in particular, I have had the impression that a number of opposition members will again put federalism on trial, but will unfortunately not take into consideration the progress Quebec has made within the Canadian federation in the last 130 years.

We are well aware that there are only seven million French speakers in Quebec. I have also learned that there are nearly 800,000 or a million allophones, anglophones and so on, who are, of course full fledged members of Quebec society.

However, within the Canadian federation, despite our constitutional differences over the years—which I have had nothing to do with—we are well aware that the average Quebecer has made incredible gains in contrast with individuals in other societies and other countries, which are less well off than Canada and the people of Quebec.

I believe the Canadian federation has, nevertheless, helped build the bases of our distinct society. We have created a telecommunications network, through all sorts of federal offices, Radio-Canada in the 1930s and the National Film Board. We nevertheless allowed Quebec to look after cultural matters and especially to sign agreements not only with other provinces, but even with foreign countries in order to strengthen and guarantee French where I come from, that is, in Quebec. With

the close co-operation of the Canadian government, we have assured the influence of the francophone culture not only within Quebec, but elsewhere in the country as well.

We must not forget that francophones may be found in other regions of the country. I am back from a business trip to western Canada. I met francophones in Alberta and in Manitoba. The communities there are dynamic. They depend a lot on the presence of the federal government and on good relations with other communities, including the anglophone community.

I find it unfortunate that, during the referendum, there was an effort to exclude and isolate the French fact outside Quebec.

• (1315)

You know, there is close to one million francophones outside Quebec. Close to 450,000 young anglophones are in French immersion. I believe that this presence was intentionally minimized by the opposition for purely symbolic reasons, but mostly for political expediency.

I believe it is important to tell Quebecers that we are not the only ones, that there are other francophones in Canada. As a matter of fact, we had the privilege to hear one of those, a member from Manitoba, speak in this House, in both official languages, of course. I often have the opportunity to listen to members either from Ontario or New Brunswick. I find it remarkable that, in this country, and especially in this House, there is an increasing number of members, not only anglophones but people of Italian descent or of other ancestries—we have members from all over the world, I believe—who speak French fluently.

If we look at Canada today, especially the make-up of this House of Commons, particularly on this side, it is obvious that bilingualism has allowed French to gain ground across Canada, which is an important breakthrough. I got a note telling me not to hesitate to speak about francophones, indeed, encouraging me to do so.

I noticed, during the referendum campaign and increasingly in the media, that Quebecers have come to one important conclusion. Increasingly, they have come to recognize the presence of francophones outside Quebec, who have a very significant role to play. I admit that I am digressing, but I wanted to show that Quebecers are not the only francophones in Canada. We must support and work in close co-operation with those who are promoting French throughout the country.

I truly believe that, with the help not only of the people of Quebec, but also of people outside Quebec, we are finally going to recognize Quebec as a distinct society. With this in mind, we are inviting the Leader of the Opposition to support us. It is very important, not only for Quebecers, but for francophones outside Quebec, who, from now on, can rely—and why should they

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not—on the Quebec government taking an active part in the Canadian federation. This is what we are seeking.

I believe that Quebecers, and Canadians as a whole, are sick and tired of constitutional debates, but I believe that we must seize this opportunity to recognize Quebec for what it is and, of course, Mr. Speaker, before you rise—

**The Deputy Speaker:** Unfortunately, dear colleague, your time has expired.

**Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ):** Mr. Speaker, I would like to give the member for Bonaventure—Îles-de-la-Madeleine the opportunity to finish his speech, since I realized from his reaction that he wished to have a few more minutes. So, the fact that we are now moving into comments will certainly allow him to continue.

However, I would like to make a few remarks concerning his speech because, as he rightly mentioned, what the member tried to do during the few minutes that he spoke was to tell us how English Canada—even though our colleague from St. Boniface does not want us to use that expression—loves us and how it recognizes the importance of the French fact, since he emphasized that several Canadians are now taking French courses, which is a fact and a good thing.

• (1320)

It is also well known that Quebec is where we find the greatest number of people who can speak both languages, French and English. On an individual basis, everybody recognizes the importance of speaking both French and English. I will add that, in Europe, it is not two languages that most people speak, but three, four and even more, and sometimes very complicated languages, much more complicated than French and English.

Having said that, and with all due respect for our colleagues opposite, that does not solve in any way the political situation in Canada. That does not solve the political and constitutional problem that that federalists have been struggling with for many decades, and trying to solve in all kinds of ways. It is important to point this out because, every time government members stand up in this House, they tell us that it is the separatists who are preventing constitutional changes. At the present time, that is the only argument that they are using to say that, unfortunately, they cannot change the Constitution. The Prime Minister, almost with tears in his eyes, as well as the Deputy Prime Minister, with her crocodile tears, tell us: we cannot bring about constitutional changes. The Leader of the Opposition, who will become Quebec's Premier, said right away that he did not want any changes.

That is the whole debate in a nutshell. Even though I recognize the facts raised by the member for Bonaventure—Îles-de-la-Madeleine concerning the importance of the French aspect, I wish that he would speak a little more substantively about the bill itself.

**Mr. Gagnon:** Mr. Speaker, I want to thank the hon. member opposite for his openness and his generosity and I hope other members will follow suit.

There is no doubt that, in all this, Canada has been able to follow a peaceful approach where other countries have resorted to violence. What I find extraordinary in our country is the fact that it is because we have a flexible system that we are always in the middle of some negotiations.

Unfortunately, things are different in France and even in the United States. When it is time to make changes, to move on as a society, these countries are unfortunately stuck with constitutions which often are inflexible and very difficult to change, especially if the changes are to reflect the reality we face at the turn of the century.

The previous speaker just said again what all Quebecers know already, which is that the Leader of the Opposition, once he becomes Premier of Quebec, will reject every constitutional agreement with Canada. One thing is clear: his only objective is the separation of Quebec, the end of Canada.

One of the highlights of the last century has been, of course, a true political and economic feat, which will endure only if we can rely on the support of the opposition and the Leader of the Opposition and next Premier of Quebec, in order to recognize Quebec as a distinct society and to recognize its veto within the Canadian federation.

[*English*]

**Mr. John Bryden (Hamilton—Wentworth, Lib.):** Mr. Speaker, it is a pleasure to rise in the House today to speak on a subject that is near and dear to my heart. However, I would like to take it in a slightly different direction and speak of my own riding.

My riding is at the head of Lake Ontario, near Hamilton. It is probably as anglophone a part of the country as we could possibly hope to get. Yet the first European who set foot in my riding was René Robert Cavelier de La Salle. He came there in 1682. He came by canoe through Hamilton harbour, climbed the escarpment by a stream and visited an Indian village near the present town of Waterdown.

• (1325)

Around my riding there are signs everywhere, vestiges of French explorers. Just two miles from my village there is a creek called Fairchild Creek. This is a reflection of the coureurs de bois who explored the Grand River and its tributaries in the 17th century.

La Salle was exceptional. I do not wonder that my Bloc colleagues are very proud of their heritage when we think of this man who in 1682 came to the Hamilton area and then for the next 10 years explored everywhere around southern Ontario. He was searching for the Ohio River, which he believed would lead to the orient. In doing so, he was the first man to build a ship for the fur trade on Lake Erie at Niagara Falls. He also became a great entrepreneur in the fur trade at Kingston, which at that time was Fort Frontenac.

I say this to point out that the early people of New France represented the most fantastic spirit of adventure we could wish to find anywhere in the world.

What of myself as an anglophone? I can parallel that. On my mother's side of the family there were United Empire Loyalists. They settled in the United States in the 17th century and after the American revolution came to my area, the same area La Salle explored, to settle when they fled the Americans. Here we have a situation of my ancestors, like the ancestors of my Bloc Quebecois colleagues and my Quebec colleagues, who have this wonderful spirit of adventure.

I could look at my own father. My father came over to the country in 1924, leaving England at the age of 17. Again we have this sense that we share. Whether we are French or English speaking, we share this very Canadian sense of adventure, the sense of reaching out and trying brave new things to do.

When I was a young man I tried to cross the Sahara Desert to visit Timbuktu. As I crossed the Mediterranean I met another young man. We recognized one another because of our passports. He was another young Canadian from Quebec who was on the same type of adventure I was. There we were, doing what I think is one of the things that unite us as a people, whether we speak English or French, a people who have a true spirit of adventure.

Mr. Speaker, if you travelled the world now you would find young Canadians, both French and English speaking, in every corner of the globe on similar missions of adventure.

I mention this because separatism, the movement we see today to withdraw Quebec from Confederation, is not in the best tradition of our ancestors. It is a defensive reaction. It is building walls. Separatism today is fear rather than bravery. That is a great shame. What has made this country the richest nation in the world and the greatest trading nation in the world, whether we speak English or French, is our spirit of adventure we have inherited from all our ancestors.

To return to my history lesson, La Salle did not find the Ohio River. A decade later, after running around in southern Ontario and making a killing on the fur trade, he crossed over to the Mississippi River and explored the entire length of the Missis-

issippi. He arrived there in 1682 and claimed the entire territory for France. Thus, Louisiana was born.

Louisiana became a far richer colony of France than Quebec. It was on the edge of the Caribbean. In those days the resources were much richer in that region than they were in the frozen north. What happened to Louisiana? In 1803 Napoleon sold it to the Americans. The Americans did not move in and change Louisiana into an English speaking state. They were totally laissez-faire about the situation. Louisiana was left alone with its language and culture. However then, as today, there was an enormous economic boom in North America. The west was opening up, the Mississippi was opening up and there were entrepreneurs everywhere.

• (1330)

The net effect of the freedom that Louisiana had as a state of the United States, rather than the protection it had when it was a French colony, was that within a century it lost most of its French culture. The French language was replaced by English. Now this former French colony, which was bigger than Quebec, is merely a shadow of its French self.

That is the kind of danger that is presented by the prospect of Quebec's separation today. The reason Quebec still exists, perhaps some of my Bloc colleagues will not agree with this vision of history, is that there were accommodations reached between Britain and Quebec right at the beginning, right after the conquest. This spirit of accommodation has been a characteristic of Canadian society ever since.

The other thing that makes all of us Canadian is that for centuries we have had to accommodate our differences. Our most fundamental difference was language, and not just in Quebec, but in northern Ontario and Acadia. Nevertheless, that is what has sustained Quebec all those years.

We now come to Bill C-110 and the distinct society resolution. I feel these two things are very important moves. There is the spirit for separation in Quebec which has always been with us and will always be with us. There is nothing wrong with that but right now there has been a resurgence. There are more people in Quebec now than ever before who are afraid of losing their language and culture. We in the rest of Canada cannot afford to see that happen because so long as Quebec retains its language, its culture and its traditions, then the rest of Canada has to accommodate and make room for something that is an essential difference.

It makes us a society that is truly tolerant and truly generous. That is why the rest of the world sees us as the best country in the world in which to live. It is not because we speak English, not because we speak French, but because we tolerate one another and we have a spirit of generosity that goes back through the centuries.

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I hope the people in Quebec are listening to this and understand that the movement toward separation is a movement that will hurt us all. It will hurt those who speak English as well as those who speak French.

Debate is good. It is always good for us to come to Parliament or anywhere in the country, examine our differences and come to understand one another once again. However, separation is not the answer. The movement with respect to Bill C-110 and the distinct society resolution are a form of reassurance from all the people of Canada that we need to stay together and respect one another.

[Translation]

**Mr. Jean H. Leroux (Shefford, BQ):** Mr. Speaker, I listened very carefully to the speech made by my colleague opposite.

First, I would like to tell him that for us, Quebecers, sovereignty does not mean establishing borders or putting up walls between us and the rest of the world. Quite the contrary. I think Quebec sovereignists have shown, through the kind of partnership they have proposed to the rest of Canada, that they are open, that they want to sit down and talk, that they want a change at this point in their history.

• (1335)

So I hope the member has understood that also. In his speech, he talked about other places in the world where there are francophones. Louisiana is one of them. We know that Napoleon sold Louisiana to the Americans and that the small community living there at that time decided to let itself be assimilated.

Today, the French culture in Louisiana is nothing but folklore. There are still some people who speak French, but they are very few. It must be understood that these people were assimilated because they were in the United States of America, where English is the only official language. We do not want this to happen to Quebecers.

What we want is to control the economic and political instruments that will allow Quebec to grow and to secure its future. We will have to start all over again, to explain, as the member said, that sovereignty is something that will not die. But I want to tell the member that the sovereignty of Quebecers and of Quebec is something positive, something dynamic.

It is a movement that is leading us into the third millennium in a positive way. A people who decides to take control of its own destiny, that is just fantastic. I remember the night of the referendum when Claude Ryan, former leader of the Quebec Liberal Party, said: "The rest of Canada will have to recognize

Quebec as a distinct people in the Canadian Constitution". Today, what we are being offered is a motion of the House that is valid only if it is supported by the majority. So I think what we are discussing today is entirely different from the offer Quebec would like to see.

We are not afraid of losing our language and our culture, and sovereignty which, as I said earlier, is a positive thing, is the reason why we are not afraid. However, we must go about this intelligently. We must have the means to ensure our survival, and we will have them in a sovereign Quebec. As I said yesterday here in the House, when the Canadian Confederation was established, an understanding was reached. Today, more than 125 years later, it is time the rest of Canada realized that we are talking about the future and the very survival of this Canadian territory.

So I would like the hon. member to comment and try to understand the position of Quebecers, which is very positive.

[English]

**Mr. Bryden:** Mr. Speaker, I thank my colleague. Sovereignty, as he describes it, and separatism look inward. He has to admit the separatist movement is building walls around Quebec.

**Mr. Leroux (Shefford):** You see the walls. We do not see them.

**Mr. Bryden:** There are walls and the rest of the world sees them as walls. I tell the hon. member that those walls will be broken down without the protection of Canada.

That is what happened in Louisiana. Economic forces, business forces and global forces destroyed the French culture in Louisiana. The same will happen to Quebec unless Quebec has the rest of Canada and the faith of anglophones like me who believe we share a tradition. We are generous with one another.

If Quebec rejects the rest of Canada, including other people in Canada who speak French—

**Mr. Leroux (Shefford):** That is not true.

**Mr. Bryden:** Oh yes, it will be the end.

**Mr. Leroux (Shefford):** C'est complètement faux ce qu'il dit là.

**Mr. Bryden:** The lesson my hon. colleague should appreciate is the lesson of Louisiana.

**Mr. Leroux (Shefford):** Ça, c'est au siècle passé.

**Mr. Bryden:** It happened in Louisiana in about 60 years and Louisiana had state rights. It was a loose federation, far looser in the United States at that time than Canada today. Louisiana's



culture disappeared under the pressure of economic and business forces within about 60 years.

• (1340)

Were Quebec to separate and not have the genuine partnership that exists in the Canadian Confederation today, especially with the Americans just south of the border, there would not be anyone speaking French anywhere in the business community of Quebec. That would be a shame because it would be the end of a culture.

[*Translation*]

**Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ):** Mr. Speaker, I am pleased to enter this debate, since I feel it is important to establish the government's intentions in tabling Bill C-110. It is not my intention in the next few minutes to react to the interpretation of history given by the Liberal member who just spoke. I would simply advise him to do some sorting out of his historical reference books. Drawing a comparison between Louisiana and Quebec is not only nonsensical but an insult to the reality of Quebec.

What I would like to do instead is talk about Bill C-110 and the veto.

To begin with, as the Leader of the Opposition pointed out this morning, when reference is made to the right of veto, this generally means a procedure or rule that is a key element in a constitution. With such a rule, changes of a constitutional nature cannot be made without the agreement of one part. In the case of concern to us here, the case of Canada, what is involved is a part of Canada without the agreement of a certain number of provinces plus the federal government.

This is, therefore, an important measure. So important that, over the past 20 or 25 years, the federalists have discussed among themselves on a number of occasions the necessity of arriving at a formula for amending the Constitution, which would include this famous right of veto. Naturally, there was the Victoria charter, which referred to a regional veto, a bit like Bill C-110. The Pepin-Roberts Commission referred to a regional veto as well, but one supported by a Canada-wide referendum in which a majority would be required in each of the four or five regions of Canada.

The 1982 Constitutional Act, the one that governs us at present, assigns to each Canadian province the right of veto in several areas for amending the Constitution and the institutions, among other things. The Meech Lake accord also contains the same right of veto. The Beaudoin-Edwards committee spoke of a regional veto. So did the Charlottetown accord.

What I would like to point out with this reminder is that the right of veto has always figured prominently in Canadian political discussion, in the political speeches of federalists, sincere ones, who wanted to improve Canada and Quebec's situation. Never, however, have we been able to reach an

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agreement that would respect the rights of both Quebecers and Canadians. Never.

That is why the Trudeau government accorded the right of veto to all provinces in 1982, in desperation, and this is how the situation stands now.

• (1345)

So, if we want this right of veto to mean anything, there must be constitutional changes. Because he could not do so—and not because the Leader of the Opposition may eventually go to Quebec City, but because he could not convince the anglophone provinces to agree—the Prime Minister, reacting to the results of the referendum on October 30, decided to table a bill in the House, which has no constitutional significance, a bill which will force the present government to take certain criteria into account before it proposes constitutional change, if it really wants to, because it can amend its bill at any time.

However, as the Prime Minister has already said he does not intend to make any proposals so long as the nasty separatists are in power in Quebec, the bill will never be implemented in any case.

This is where I want to point out the intention of the government and, particularly, of the Prime Minister. This bill is nothing more than a hoax. I would even describe it as skulduggery, because it is misleading Quebecers by implying that the right of veto is a guarantee of Quebec's future constitutional rights.

This is wrong, absolutely wrong, because, in the same breath, most of the speakers on the government side have made a point of saying in their speeches—the Prime Minister first and then the Minister of Justice this morning in tabling his bill—that the bill changes nothing in the existing formula, in other words, it is the constitutional status quo.

Quebecers must understand that the government and the Prime Minister are simply trying to waste time in this House with this hasty bill, which has no effect.

Some will say I am being hard on the Prime Minister. With your permission, I would like to turn to what the Prime Minister has said in the past.

Let us look first at his speech in 1990 as he was preparing to enter the Liberal Party leadership race. The current Prime Minister, who was then a leadership candidate, said, right here in Ottawa, to University of Ottawa students, that, as a candidate to the Liberal Party leadership and future head of the Canadian government, he was opposed to any form of veto, for any province. He basically said that a province wishing to oppose constitutional changes could do it if it had a veto. He did not specifically mention Quebec, but he was certainly thinking about that province, since Quebec has always been the one asking for such changes.

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In addition to a veto power, the concept of distinct society is supposedly recognized in the motion tabled in this House.

• (1350)

Again, this is a big joke. The Prime Minister is trying to make Quebecers, but particularly Canadians, believe that he recognizes the principle of distinct society. Yet, during the referendum campaign, he ridiculed that principle by making an analogy to his own linguistic skills. He said: “There is no need to put the distinct society principle in the Constitution. Everyone knows that I am distinct. Just listen to me speak English”.

At the time, the leader of the Action démocratique condemned the Prime Minister’s comments, saying that it was contemptuous of Quebecers to make such an analogy between the notion of distinct society and the impossibility or difficulty of speaking English. As the Prime Minister himself demonstrated.

This is what the Prime Minister thinks of the distinct society and the right of veto. Today, because it tabled a bill and a motion on the concept of distinct society, the government would like Quebec members to applaud and say: “Mr. Speaker, the issue is finally settled. Quebec is now recognized as a distinct society and it has a veto power. Let us move on to other matters”.

No. Quebecers are not fooled by all this. They are fully aware of the federal government’s deceit in tabling this bill and this motion, and they will react strongly. In that sense, the Leader of the Opposition who, in a few months, will lead the Quebec government, was right, is right and will be right to say no to such trickery and deceit.

**Mr. Mac Harb (Parliamentary Secretary to Minister of International Trade, Lib.):** Mr. Speaker, the hon. member opposite is at it again with his emotional blackmail.

A debate at least two-months long has already been held on the referendum. At times, it was quite intense, very emotional. We heard from both sides, supporters of the yes camp and supporters of the no camp, those who were for Canada and those who were against Canada, those who wanted to give Canada a chance and those who did not.

Those who wanted to give Canada a chance won. The democratic result of the referendum was a yes to giving Canada a chance. On the evening when the results were announced, I was out of the country, unfortunately, but I saw the Leader of the Opposition on television. It was a very emotional moment. I stayed up all night and watched the Leader of the Opposition on CNN International as he said: “The democratic result of the referendum must be respected”.

I found it very interesting, contrary to what Mr. Parizeau said, that he chose not to respect the results. At the time, the Leader of the Opposition and leader of the yes camp in Quebec said that the referendum results were to be respected. But what is

happening today? Just the opposite. No respect for the Quebec referendum results; total disregard for the basic principle of democracy in Quebec, in Canada and in every international standard.

• (1355)

Nowhere else in the world do you have a group like the one we have here in our federal Parliament, a Parliament representing the people of Canada, Canadians from coast to coast.

In no other country in the world do you see people like the members across the way, rise on their feet and announce with great pride their plans to tear apart the best country in the world. They want to tear apart and break up a great country, a fantastic country.

The Prime Minister said, and my colleagues on this side also said so time and time again: this is not going to happen, because the best country in the world just cannot be broken up. What the government decided to do and managed to do is to present concrete proposals, and we expect opposition members to act with common sense, to respond with common sense, to respect the democratic result of the referendum, to sit down at the table and to negotiate honestly, without any hypocrisy, and to stop using the words “sovereignism” and “independance”. They should talk in a positive way, saying that Quebecers voted to give Canada a chance.

Then we would have a real debate. Then we would really be able to talk face to face. So, I ask my colleague if it would not be better for him and for his colleagues of the Bloc to sit down with the federal government and to tell us what they really want. They are not satisfied with that, but what do they want exactly? They want to put that in the Constitution, but they do not say so. They do not dare say what makes sense.

What I have heard today is nothing but blackmail, a history lesson, another explanation of what happened 20 years ago. Several members of that party voted against the Meech Lake accord and the Charlottetown accord. I want to ask the member—

**The Speaker:** I think the question has been put. The hon. member has one minute to respond. We will give him the chance.

**Mr. Bernier (Mégantic—Compton—Stanstead):** Mr. Speaker, I would ask my colleague from Ottawa—Centre to sit down and go back to sleep, like he did the night of the referendum, since he obviously did not listen until the end to what the Leader of the Opposition said. Not only did the Leader of the Opposition, who will become Quebec’s Premier, say that he would respect the results of the October 30 referendum by making sure to deal with the problems facing Quebec, that is, public finance, he also said that the federal government was expected to act and to propose real changes.

So, what do we have here? I said it earlier: trickery and deceit. The next time we will talk about the Constitution in Quebec, it will be about Quebec's Constitution in an impending referendum.

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## STATEMENTS BY MEMBERS

[English]

### UNEMPLOYMENT INSURANCE

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, in the 1994 budget the government announced cuts to UI, which hit Atlantic Canada the hardest. Of the \$2.4 billion that was cut, \$634 million came from Atlantic Canada. Our region, with 8 per cent of Canada's population, suffered 27 per cent of the UI cuts. Now we hear it is going to happen to us again.

A large portion of the Atlantic Canadian economy has a seasonal nature. I agree that we have to implement measures that allow the region's economy to grow and evolve, but what the government is proposing will not do that. Even the Liberal premier of New Brunswick has called the proposed UI plan devastating for our region. He has also said that he believes it will merely push people from UI to welfare.

I support thoughtful measures to get our deficit under control. We need to help people to help themselves. I fear this is what the government's UI plan will not do. I urge it to reconsider. In fact, this plan is one I would expect from the Reform Party.

**The Speaker:** The hon. member for Davenport.

\* \* \*

● (1400)

### THE ENVIRONMENT

**Hon. Charles Caccia (Davenport, Lib.):** Mr. Speaker, Environment Canada recently charged the Noranda forests mill in Thorold, Ontario, with 150 apparent violations of the Fisheries Act and pulp and paper effluent regulations.

If we are to have sustainable development we need regulations and their enforcement to protect water, fisheries and health from damaging activities. This example shows the importance of Environment Canada in maintaining properly monitored and enforced federal environmental regulations.

\* \* \*

### SAME SEX COUPLES

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, the Liberal cabinet is giving rights to same sex couples that members of the House have not approved and the public do not support.

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I rise today to condemn a Liberal Treasury Board directive leaked last week which extends a number of spousal benefits to homosexual and lesbian partners who are not formally recognized as being legally married.

During the debate and a free vote on Motion No. 264 in the House last September members refused to grant legal recognition of same sex couples, defeating the motion decisively. Treasury Board officials have defied the will of members of the House by giving homosexual and lesbian couples the same rights as legally married men and women.

On behalf of the majority of my constituents, the majority of Canadians and the majority of MPs in the House I demand the Liberal government bring any extension of government benefits to same sex couple relationships to the House for a free vote.

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### RIPPLES INTERNMENT CAMP

**Mr. Andy Scott (Fredericton—York—Sunbury, Lib.):** Mr. Speaker, last week I attended a ceremony marking the site of the Ripples Internment Camp near Fredericton. This camp was originally constructed to accommodate Jewish refugees during the second world war and was later used as an internment camp. The organizing committee hopes eventually to rebuild the camp along with a museum to keep the camp's memory alive.

Canada has a long history of accommodating refugees, a history of which it can be proud. However history tells us that mistakes have been made. We must learn from them, grow and make sure we recognize our international obligations to those oppressed around the world.

It is important to remember what happened during the second world war because history must live. I commend Ed Caissie and the rest of the committee for reminding all of us of the horror of the Holocaust.

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### SEVEC

**Mr. Ivan Grose (Oshawa, Lib.):** Mr. Speaker, I wish today to recognize the achievement of one of my constituents, Miss Amy Kaufman. Tomorrow Miss Kaufman and five others from across Canada will present themselves at Government House to receive the 60th Anniversary Award of the Society for Educational Visits and Exchanges in Canada.

SEVEC is a not for profit association run by teachers that organizes educational visits and exchanges. Its aim is to create and promote enriching educational opportunities within Canada for the development of mutual respect and understanding.

Miss Kaufman spent two weeks in Quebec last year as a participant in a SEVEC program. She was struck by both the similarities and the differences between our two peoples. She

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was especially impressed by the depth of friendship and understanding that can be achieved in so short a time, an interesting observation.

I ask all members to join me in recognizing Miss Kaufman, a proud Canadian.

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[Translation]

### FTQ CONVENTION

**Mr. Osvaldo Nunez (Bourassa, BQ):** Mr. Speaker, on Monday the Leader of the Opposition and I attended the opening of the 24th convention of the FTQ, Quebec's largest labour federation.

I think it is significant that there were 1,500 delegates at this historic convention, which was focussed on employment. For the first time, the presidents of the CSN and the CEQ were invited to attend. In an extremely courageous speech, FTQ president Clément Godbout spoke of the major challenges to the trade union movement now and in the years to come. The labour federation wants to fight against the emergence of an increasingly powerful right and in support of labour legislation reform, union–employer partnerships, and increased power over the way work is organized.

It is therefore important to congratulate those behind such an initiative aimed at enabling Quebec decision makers to undertake an in depth examination of tomorrow's Quebec.

I would also like to wish FTQ past president Fernand Daoust a prompt recovery; he was injured in an automobile accident the day before yesterday.

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[English]

### THE ENVIRONMENT

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, the environment minister's decision to sign an interim order banning the export of PCBs to the U.S. defies logic, especially since the EPA in the U.S. has recently reversed its decision to allow PCB imports for destruction.

This reversal enables Canadian companies to safely dispose of their stockpiled PCB contaminated waste at the lowest possible price and in the safest possible manner. The minister ought to be elated. Unfortunately she has decided to ban PCB exports to the U.S. despite the fact that Canada exports over 100,000 tonnes of waste to the U.S. each year.

• (1405)

The distance now that the PCBs have to travel are much greater when shipped across Canada than when shipped to the

United States. Canadian companies are also paying an extra \$150 million to do this.

Considering the overwhelming information in support of allowing PCB exports to the U.S., I urge the minister to reconsider her government's position, do the right thing, and stop pandering to the protectionist stance that does little to help the overriding goal of PCB removal.

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### GLOBAL VISION

**Mr. Bob Wood (Nipissing, Lib.):** Mr. Speaker, I rise today to inform the House of the completion of the global vision program for 1995 and the release of the annual report.

As parliamentary chair I am pleased to announce that this non–profit organization was able to conduct cross Canada regional seminars involving over 800 students. These young people met with industry and government experts to discuss issues involving science, trade and technology, and to acquire the skills needed to compete in the new global economy.

In addition, the junior trade corps program allowed 18 participants to visit Taiwan in the Republic of China in August. I thank the many sponsors of the global vision program. These include Canadians Airlines, the Canadian Imperial Bank of Commerce, Canadian Heritage, the Atlantic Canada Opportunities Agency, FEDNOR and Western Star Trucking.

I personally thank Mr. Jason Yuan and his staff at the Taipei economic and cultural office. Without his assistance and the co–operation of the Republic of China's foreign affairs department and the China Youth Corps, our trade mission to Taiwan would not have been possible.

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[Translation]

### INTERNATIONAL HIV–AIDS DAY

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, tomorrow, December 1, is International HIV–AIDS Day. On the same day last year our Prime Minister was one of the cosignatories of the Paris declaration.

I would like to draw the attention of the House to the fact that Canada followed up on this summit by creating a task force on Canada's international response on HIV–AIDS.

On this day, the theme of which is “Share rights, Share responsibilities”, I would like to acknowledge the important role played by nongovernmental organizations such as the International AIDS and Development Coalition, the International Council of ONGs against AIDS, the Canadian AIDS Society, the Canadian Public Health Association, the Global Network of People Living with HIV/AIDS, the réseau international francophone d'intervention SIDA and the International Community of Women Living with HIV/AIDS.

### SOVEREIGNIST ARTISTS

**Mrs. Madeleine Dalphond–Guiral (Laval–Centre, BQ):** Mr. Speaker, the Liberal and Reform members of the Standing Committee on Canadian Heritage have openly declared a witch hunt. The representatives of Canadian unity are against sovereignist artists, like Marie Laberge, getting federal funding.

Obviously, ridicule has never killed anyone. Quebec sovereignists still continue to send their tax money to Ottawa. Each year, the federal government collects \$30 billion from Quebecers. Do the members of the committee seriously think that the federal government could deny access to its programs to 50 per cent of Quebec's population? As Franco Nuovo put it so well in the *Journal de Montréal*, Canada Council grants are not given out to "serve the allegiance and political stripe of artists, but to recognize and support talent and excellence in the arts world in Canada".

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[English]

### HUMAN RIGHTS

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, Canadians are astounded to learn that our human rights commissioner feels it is inappropriate to comment on human rights abuses in China. His tolerance of forced abortions and his inability to pass judgment on the execution of political dissidents show shameful disdain for women's rights, equal rights and human rights.

We must tell China that this policy is wrong. As Canadian Human Rights Commissioner it is his responsibility to lead, not to follow. He has a moral obligation to help bring about change in areas where the humane treatment of people is rejected. He must do this by showcasing Canada as a model of democratic tolerance, a champion of human rights and a defender of the exploited.

We cannot sit idly by, as women, children and others suffer abuse at the hands of inhumane governments. Instead of resigning himself to indifference, Max Yalden should resign, himself. If he refuses, the government must remove him from office as he clearly lacks the courage to promote and represent Canadian values internationally.

\* \* \*

● (1410)

[Translation]

### CSN PRESIDENT

**Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.):** Mr. Speaker, the sovereignist's sovereignist Gérald Larose, president of the CSN, delivered a hefty blow to the Quebec Premier's economic strategy, labelling it devastating. He went

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on to say, and I quote: "We have the vague impression that, having failed to control all our levers during the referendum, the Government of Quebec wants to take the shortest route and throw itself wildly on spending to avoid sinking like the Titanic".

The union leader's barrage against the PQ government has failed, however, to wound the claimant to the throne, whom nobody wants to upset. The union leader's whole strategy reeks of opportunism and should be condemned, given the benefits his organization has always enjoyed from its affiliation with the PQ.

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[English]

### DIABETES AWARENESS MONTH

**Mrs. Karen Kraft Sloan (York—Simcoe, Lib.):** Mr. Speaker, I take this opportunity to remind members of the House that November has been proclaimed Diabetes Awareness Month by the Canadian Diabetes Association.

Over one million Canadians including many members of my own family have diabetes, a major cause of premature death, blindness, kidney disease, heart disease, stroke, limb amputation and other significant health problems. The chances of having diabetes increase with age. It affects more than 13 per cent of Canadians between the ages of 65 and 74.

The Canadian Diabetes Association supports diabetes research and provides a wide range of services for and on behalf of persons with diabetes and their families. I am proud to say the federal government also plays an important role by supporting diabetes research, with the Medical Research Council of Canada being the country's largest contributor to diabetes research.

I ask the House to join with me in wishing the Canadian Diabetes Association and its many volunteers a very successful Diabetes Awareness Month.

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[Translation]

### RENEWAL OF CANADIAN FEDERALISM

**Mr. Denis Paradis (Brome—Missisquoi, Lib.):** Mr. Speaker, this is the dawning of a new age. During the referendum campaign, the government promised change. Now, change is under way. First, the members of this House are to vote on recognizing Quebec as a distinct society with its own language, culture and legal tradition.

Also, we have before us today a bill granting a veto to Quebec, to the people of Quebec, and to the other regions of Canada. This makes for a great start. That is what I call delivering the goods. And we must continue to ensure that the changes contemplated also apply to our way of doing things. In the context of these changes, I urge all hon. members of this House, regardless of

*Oral Questions*

their political affiliation, to work at making this country of ours, Canada, the country of all Quebecers and all Canadians.

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**PETER JACOBS**

**Mr. Maurice Godin (Châteauguay, BQ):** Mr. Speaker, Peter Jacobs has lived almost all his life in Kahnawake. He was adopted at the age of three weeks and has contributed to this Mohawk community for 40 years. Even though he is a status Indian under the Indian Act, Mr. Jacobs has now been excluded from the register by a Kahnawake band council resolution which in effect has stripped him of his status as a member of this band and of entitlement to all related rights.

Without prejudging a highly technical issue currently before the Canadian Human Rights Commission, the members of the Bloc Québécois would like to express their strong disagreement with this act of discrimination and exclusion, which would appear to be based on race and ethnic origin.

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**LEADER OF THE OPPOSITION**

**Mr. Patrick Gagnon (Bonaventure—Îles-de-la-Madeleine, Lib.):** Mr. Speaker, it seems that Quebecers will once again have to pay for the lack of courage and conviction of the person who let them down almost one month before the failure of Meech. In a speech befitting a never ending soap opera, the leader of the opposition said once again yesterday that he will not support the recognition of Quebec as a distinct society.

The Bloc Québécois leader refuses to accept Canada's offer to co-operate, preferring to concentrate on his emotional speeches, in which he keeps crying over old stories of humiliation and rejection. Quebecers are discovering, regretfully and somewhat late, that the person who is asking them to put their confidence in him is only interested in his career and imminent crowning as Quebec's Premier. Unfortunately, he refuses to acknowledge the consensus among Quebecers to be recognized as a distinct society and to have a veto power within the Canadian federation.

**ORAL QUESTION PERIOD**

• (1415)

[Translation]

**UNEMPLOYMENT INSURANCE REFORM**

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, in an all out attack against the federal government, Premier McKenna of New Brunswick, a faithful ally of the

Canadian Prime Minister, strongly condemned the UI reform proposals.

Mr. McKenna warned that, by directly targeting workers in Eastern Quebec and the Atlantic provinces, these reforms will create what he referred to as "an unprecedented political backlash". Mr. McKenna's scathing attack is similar to the stand of the official opposition on the new cuts in unemployment insurance Ottawa is about to make.

Does the Minister of Human Resources Development agree that, as stated by the Premier of New Brunswick, these new cuts will come down hard on seasonal workers in Eastern Quebec and the Atlantic provinces?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, once again the Leader of the Opposition, as he has done so many times in the past, is exaggerating the comments.

We had a very useful meeting with the Atlantic premiers. We were able to deal with many of the concerns they raised. If the hon. leader of the opposition were more careful in his research and analysis he would know that when they came out of the meeting they actually said they found the approach we are taking to be quite praiseworthy and one they wanted to support.

I quote Premier McKenna directly: "Several features of the reform will be very positive in terms of making it worth while to work and there are a number of elements of the reform that we find praiseworthy". Mr. McKenna, after having had the opportunity to find out the real direction and approach we want to take, as opposed to all the suppositions, allegations and paranoia the Leader of the Opposition puts forward, actually finds this praiseworthy.

[Translation]

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, I have not met Mr. McKenna recently, but I saw reports in the newspapers this morning that he condemned the minister's reforms and warned they would create an unprecedented political backlash. And I am fully aware of the fact that Mr. McKenna is a Liberal like the minister himself, so he cannot be accused of being soft on policy.

I want to ask the minister whether he realizes that young people and women will be the main victims of his reforms, since these will tighten UI criteria by substantially increasing the number of hours and weeks worked.

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, the hon. Leader of the Opposition once again totally contradicts himself.

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When he made his announcement that he would become leader of the Parti Québécois and the future premier of Quebec, he said he had one major ambition, jobs, and he wants to work with people to do this. That is our ambition as well, to transform a system that has been around for 50 years and over the years has developed a number of problems in terms of giving people the tools and the opportunities and the encouragement to go to work. That is why we are changing the system, so we can help people go to work.

I say to the hon. Leader of the Opposition if he believes, as he said he did during the referendum campaign, in partnership, I am prepared to be a partner with the hon. Leader of the Opposition when he becomes premier. I would like to work with him to create jobs for Quebecers. Is he prepared to be a partner with us in creating good, serious jobs for Quebecers once he becomes the premier of Quebec?

[Translation]

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, the minister tells us his reforms are intended to create jobs. Would he agree that, in fact, his reforms are intended to get people off unemployment insurance so they will have to go on welfare, all of which will add to the bill the provinces will have to pay?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, they will not. There will be a number of initiatives that will help people who now find themselves without the tools or resources to get back into the workforce. They will be given that opportunity.

• (1420)

Unlike the minister of social security in the Government of Quebec, who cut back welfare payments and took away the very incentive, the very resources, the very income being used to help people on social assistance to go back to work, we are attempting through the reform and modernization of the employment insurance system to give those tools back to people so they can go back to work.

[Translation]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, my question is for the Minister of Human Resources Development.

The *Globe and Mail* reported this morning, in even greater detail, how much the second so-called UI reform package is out of touch with the labour market, where precarious jobs are no longer the exception but rather the rule.

In fact, the UI reform will discourage young people by making it harder to qualify for benefits, with work requirements

going from 12 fifteen hour weeks to 14 thirty-five hour weeks, even in the regions hardest hit by unemployment.

Does the Minister of Human Resources Development confirm that one of the first and most painful effects of his reform will be to ensure to an even greater degree that thousands of young people, who often can find only precarious jobs, are excluded?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, I will be tabling in the House of Commons tomorrow the full details of the new employment insurance package.

We will be, as part of our courtesy, giving a full briefing to the hon. member and other members of the opposition. We intend to extend coverage for unemployment insurance, to take into consideration the new workplace, where there is a lot more part time work, a lot more multiple jobs, a lot more people dealing in a workplace that has a lot more flexibility to it.

That is part of the problem with the existing system. It was designed 50 years ago. It does not accommodate the new world of work we are into. That was one of the key recommendations of the committee that studied it, of which the member was a part. The committee recommended that we find a system that more accurately fits the reality of the new world of work. That is what we have done.

[Translation]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, if the minister had briefed the official opposition and the third party first, before briefing every member of the media in town, we would not have to rely on what journalists say. At least, journalists are doing a good job. And I doubt there would be any evidence to the contrary.

Here is my question: Does the minister not realize that by making it even more difficult to have access to UI, a fact confirmed by every information leak, he will force onto welfare a good many women who are desperately trying to find a way out of poverty?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, please excuse me if I allow myself to smile. The hon. member is complaining about the fact that we were briefing journalists.

It was the hon. member who week after week was waving papers, studies, and leaked reports from her friends in the CSN who purported to know what was in the report. If anybody is responsible for the misinformation about the new program, it is the hon. member for Mercier. She is the one who has been responsible.

*Oral Questions*

Fortunately tomorrow the hon. member will have an opportunity to see what the program is really all about.

\* \* \*

**NATIONAL UNITY**

**Mr. Stephen Harper (Calgary West, Ref.):** Mr. Speaker, the government has tabled its package of proposals for Quebec, which lo and behold have been rejected by the PQ Government of Quebec and by the future premier of Quebec.

In advance of the next referendum, will the government also be taking other steps? Will it table not only the proposals it has tabled for positive change, but will it also make clear to Quebec in published documents the likely terms and conditions of separation and the real costs of separation?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.):** Mr. Speaker, unlike the Reform Party, we are not salivating at the prospect of a referendum.

The majority of Canadians and the majority of Quebecers do not want a referendum. What they want is for the Government of Canada to work in a constructive way with provincial partners across the country and with workers to get Canadians back to work. That is exactly the agenda we intend to pursue.

• (1425)

**Mr. Stephen Harper (Calgary West, Ref.):** Mr. Speaker, I hate to inform the Deputy Prime Minister that bad things can happen even if you wish they will not. It is a rule of life.

Regardless of what the Canadian people or even the Quebec people think, it is clear what the plans of the Quebec government are. I ask the Minister of Intergovernmental Affairs once again, is the government consulting anyone—Canadians, think tanks, the C.D. Howe Institute, the Canada West Foundation, the business community? Is the government consulting anyone on the terms and conditions of separation and the contingencies to plan for in the event the Government of Quebec goes down this path?

**Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.):** Mr. Speaker, we know that Canada will not go down this path because we are taking the necessary steps and we will continue to take them so that Canada remains a united country.

The group on unity, as I have mentioned, is looking at present at all kinds of constructive ways in which we can deal with the differences that exist among the various parts of the country. We do not want to underline these differences. We prefer to underline the points that are common all across Canada, among all

Canadians. The solutions we will bring are solutions that will help us to remain together.

**Mr. Stephen Harper (Calgary West, Ref.):** Mr. Speaker, this minister assured the House that the PQ would lose the provincial election. He assured the House that the government would win the referendum by a strong majority. None of the things this government has assured us have come to pass.

This time, if it will not at least prepare its own position on the eventuality of another referendum, will it at least insist through a formal request that the Government of Quebec table its proposal for separation, its so-called sovereignty partnership, so that before a referendum all Canadians, including Quebecers, can judge the credibility of these proposals?

**Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.):** Mr. Speaker, when we indicated that we were going to look at the results of the referendum and deal with them, we also indicated that we were going to look at the real solutions to present day problems. The real solutions are not the splitting of Canada into various parts, even though the Reform Party sometimes gives me the feeling that this would be its preferred option.

The best way to prevent that from happening is clearly to give good government. We have won the referendum, not lost it. The best way is to deal with the problems that presently exist, not start planning for the worst.

\* \* \*

[Translation]

**UNEMPLOYMENT INSURANCE REFORM**

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, my question is for the Minister of Human Resources Development.

Every scrap of information on the UI reform, whether leaked or not, points to the fact that women, young people and seasonal workers will be the main victims of the reform about to be introduced by the Minister of Human Resources Development.

Does the minister recognize that his reform will penalize women twice over, by limiting their entitlement to benefits because of the longer work period required, and by making this entitlement dependent not only on recipients' incomes but also on their spouses' incomes?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, just a few minutes ago the hon. member's colleague was complaining about the leaks and the fact that they did not get the proper information. Now the hon. member is



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using other leaks or misinformation to make an allegation or charge about the impact of the study.

The reality is that tomorrow we will present a fully comprehensive indication. The hon. member will find that the purpose and the direction we have adopted is designed to give more support for women coming into the workforce, to provide extended coverage for those in part time work, to provide for a stronger element of resources for people to get employed.

It would seem to me that the sooner the Bloc Quebecois starts getting itself interested in the issue of defending and promoting jobs as opposed to defending unemployment, it might be an awful lot better off.

• (1430)

[Translation]

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, here is my supplementary question.

Does the minister realize that his reform will jeopardize 20 years of sustained efforts on the part of women to achieve greater financial independence?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, there is a very simple fact. Last year, because of the change in the emphasis of our employment programs, the number of women in Quebec who participated in our employment programs actually increased. Furthermore the new employment equity bill which we hope the Senate will return before Christmas will be providing further opportunities.

When the hon. member says we are ignoring the cause of women, frankly she does not know what she is talking about.

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### NATIONAL UNITY

**Miss Deborah Grey (Beaver River, Ref.):** Mr. Speaker, yesterday the Prime Minister pleaded with Canadians to support his Quebec package of Mulroney leftovers: distinct society and constitutional veto. However the government does not have the courage to let those very same Canadians vote directly on the package. Instead of trusting Canadians, the Prime Minister has decided to ram the proposals through Parliament.

Because the government will not trust the Canadian people with the country's future, will it at the very least call off the Liberal whip and allow a free vote on the Prime Minister's Quebec package?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.):** Mr. Speaker, the fact is that the Canadian people are a lot bigger and a lot more generous than the Reform Party gives them credit for. The Canadian people support the initiative of the Prime Minister. Frankly, my phone

has been ringing off the wall with people complaining about the disgraceful performance of the Reform Party in the debate about Canada.

**Miss Deborah Grey (Beaver River, Ref.):** Mr. Speaker, Canadians voted no on Charlottetown and I suspect if the government had the courage to ask them to vote again they would again vote no, loudly and clearly.

The government talks about equality but it learned absolutely nothing from Meech Lake and Charlottetown. If the national unity package is to have any hope of succeeding, it must win the support of Canadians. It has to be by Canadians. It needs to be for all of them and it must receive popular ratification.

Canadians are sick and tired of being used as the Liberal government's personal political pawns. They want the first say and they want the final say when it comes to these things. Will the government commit to holding a national binding referendum on any constitutional change so that the Canadian people, not provincial governments and federal politicians, have the final say as they were allowed to do with Charlottetown in 1992?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.):** Mr. Speaker, before the hon. member makes claims about the positions of the government, she would be well advised to read what her own leader had to say on the issue of distinct society back in 1989. He said in an interview on the distinct society clause: "At a strategic level I think we could accept some kind of trade-off between Quebec and the resource producing regions". That is what Preston Manning had to say about distinct society then. Why is he saying something different now?

**The Speaker:** Colleagues, I remind you to please address each other by title rather than by name.

\* \* \*

[Translation]

### UNEMPLOYMENT INSURANCE REFORM

**Mr. Antoine Dubé (Lévis, BQ):** Mr. Speaker, my question is for the Minister of Human Resources Development.

In his full-scale attack against UI reform, the Premier of New Brunswick, a faithful constitutional ally of the Prime Minister, accused Ottawa of revamping the UI program on the backs of workers in eastern Quebec and the Atlantic provinces.

Does the minister endorse the New Brunswick Premier's statement that his reform is a deliberate attack against the Atlantic region and eastern Quebec?

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, I will tell the House what words of the hon. premier of New Brunswick I do agree with. He said in today's Saint John *Telegraph Journal*: "Several of the features of the

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reform will be very positive in terms of making it worthwhile to work and there are a number of elements of the reform that we find praiseworthy”.

• (1435)

[Translation]

**Mr. Antoine Dubé (Lévis, BQ):** I have a short question, Mr. Speaker. Does the minister share Premier McKenna's opinion that his UI reform will cause an “unprecedented political backlash” east of Ontario? That does not sound like someone who agrees with the minister.

[English]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, once again I want to point out that the meeting last evening with the four Atlantic premiers was a very useful and helpful exchange. We were able to share concerns.

What is more, the four premiers of the Atlantic region, unlike the hon. member and his colleagues in the Bloc Québécois, understand good information. They do not deliberately go out to create distortion. In fact, when they were given the opportunity to work with and understand the facts, they came out and said as Premier McKenna did that they found the reforms praiseworthy.

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**INDIAN AFFAIRS**

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, a recent memo confirms Indian affairs is planning to throw money at resolving some outstanding issues it has been dragging its feet on. This is a payoff to silence Quebec's aboriginal people during the dream team's constitutional talks in Quebec.

While I can understand that Quebec natives want to see their issues resolved, blatantly bribing them to keep quiet during the Quebec round of talks is an insult to them and to all Canadians.

Will the minister of Indian affairs confirm whether one of his ADMs is responsible for this policy position, yes or no?

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, if the member is referring to the article in the *Globe and Mail* and several others, I did not see that memo. I never asked for that memo and if I have to read it in the *Globe and Mail* I am not going to pay much attention to it.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, I was not asking the minister whether he had seen it or heard of

it. I was asking him whether his ADM is responsible for it. Does the buck stop with him and his department or not?

We believe in the equality of all Canadians but clearly this Liberal government does not. This week the Prime Minister is adding a new class of citizens by recognizing Quebec as special and giving Quebec distinct society status. Now we learn that the department of Indian affairs is considering granting premier status to Quebec native leaders.

Apparently the Liberals intend to grant distinct status to two groups so far: the Quebec separatist government and Quebec native leaders. How many more do the Liberals intend to recognize?

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, a couple of weeks ago the Reform Party put out its policy on aboriginal people. We waited two years for what is now its interim policy. It was received as follows: Blaine Fable: “Earth calling Preston”; Blaine Fable: “Silly and bizarre”; Erasmus: “It's like reading something from the 1920s”; and John Edward: “This is pretty much a bunch of cheap shots from the Reform Party”. These are aboriginal leaders.

The Reform Party knows nothing about equality. If it knew anything about equality, all 42 members who voted against the B.C. treaty process would have been in here voting for it.

[Translation]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, my question is also for the Minister of Indian Affairs.

The document signed by Deputy Minister Jack Stagg, which all the media reported on this morning, recommends that the government pay money to the aboriginal communities in Quebec, in return for their support for the federalist side in the last referendum, and also, in the words of the deputy minister himself, to buy their silence while the federal government tables constitutional proposals to satisfy Quebec.

Since the media all reported on this document, I ask the minister if he bothered to summon this person, who is not just anybody, but the person responsible for his department's strategic directions and policies. Has he since summoned his deputy minister to find out if he did in fact write this memo?

[English]

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, as I indicated in my former answer, I did not ask for that document and I did not see that document. If it is accurate as far as the *Globe and Mail* then it is a pretty silly document.

If the hon. member wants to know what my deputy minister, my ADMs or my regional directors general have to do, there is an even more significant document which is accurate and free. It is called our red book and we follow it.

• (1440)

[Translation]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, I think the minister is trying to dodge the issue. His deputy minister, who is very well known, who is responsible for the department's strategic directions and policies, did in fact write a memo. I want the minister to tell me if he did summon his deputy minister and ask him for his version of events.

I am not interested in the red book. I am quite familiar with it, I studied it, and there is room for improvement on aboriginal issues. What I want to know is this: Did the minister summon his deputy minister and can he admit that he promised the aboriginal communities in Quebec that he would compensate them for their support for the federalist cause in the last referendum?

[English]

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, our policy in Quebec is clear and apparent and I think my friend does support it.

We are working with the James Bay Cree on their issues. We are working with the province of Quebec and with the Huron which has signed a treaty with the province of Quebec. We have made offers to the Attikamek-Montagnais in the north of Saint-Laurent of \$400 million with the Quebec government. He says to work with the Quebec government. We are working with the Attikamek-Montagnais, the Innu. We are working with all of them.

Our policy is our red book. Everybody who works for our department is supposed to follow that red book.

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### SRI LANKA

**Mr. Bill Graham (Rosedale, Lib.):** Mr. Speaker, the continuing conflict in Sri Lanka is a matter of great concern to many Canadians, including many in my riding of Rosedale who have come here from Sri Lanka.

Would the Secretary of State for Asia-Pacific inform the House of Canada's position on the Government of Sri Lanka's military operations in the north which have displaced so many innocent civilians?

**Hon. Raymond Chan (Secretary of State (Asia-Pacific), Lib.):** Mr. Speaker, we are all very concerned about the continuing conflict in Sri Lanka. Recently when I accompanied the Prime Minister and my colleague, the Secretary of State for Latin America, with the heads of the Commonwealth meetings

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in New Zealand, I sought out the Sri Lankan foreign affairs minister to express our concern to him.

Canada does not believe there can be a military solution to the conflict. We urge all parties, including the Liberation Tigers of Tamil Eelam, to negotiate a lasting political settlement. The LTTE must accept that there is nothing to be gained by continued guerrilla warfare and acts of sabotage. Also, the Sri Lankan government should recognize that only a negotiated political settlement will bring peace to Sri Lanka.

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### THE DEFICIT

**Mr. Ray Speaker (Lethbridge, Ref.):** Mr. Speaker, the provinces are leading the federal government again. Yesterday Ontario announced a balanced budget plan. Nine out of 10 provinces have a balanced budget plan in place.

My question is for the Minister of Finance. When will the government announce to Canadians a balanced budget plan?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, it is not enough to simply have a balanced budget plan which stretches years out. What is important is to have in place a process that will enable the government and any government to consistently hit its targets, to maintain a steady downward tract both in the deficit and the GDP ratio and that is what we have done.

That is why for the first time in over a decade a Canadian government was able to stand up and say that it had beat its deficit targets.

**Mr. Ray Speaker (Lethbridge, Ref.):** Mr. Speaker, if the targets are easy to reach, anybody can do it. The real litmus test of financial or fiscal responsibility is a balanced budget plan and a budget plan that can be reached. In Canada there are only two governments that do not have a plan: the separatists in Quebec and the Liberal government here in Ottawa.

Is the finance minister, according to the answer that was just given, telling Canadians that when he tables his budget in the spring there still will not be a balanced budget plan?

• (1445)

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, we have been very consistent. We have said that we are going to operate on the basis of rolling two-year targets and that is what we are going to continue to do.

The hon. member talks about last year's budget target being an easy target. If that was true, then the allegation also would be true. It was a very difficult target to hit. In three years we will have taken the deficit from 6 per cent of GDP down to 3 per cent.

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As far as proof that it was a very difficult target I would only cite the leader of the Reform Party and the hon. member who last year stood up and said that we would never hit that target, that the sky was falling and we had to have countless mini-budgets. We did not have mini-budgets. We beat the target that member said we could never hit.

\* \* \*

[Translation]

**TELEFILM CANADA**

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, my question is for the heritage minister.

The committee in charge of reviewing the mandate of the National Film Board, Telefilm Canada and the CBC has postponed until January 15 the tabling of the report that was supposed to be released today.

The Quebec motion picture and television production industry is very disturbed by rumours of Telefilm Canada being dismantled. In a letter to the Prime Minister, spokespersons for this industry have condemned the government's plans to abolish Telefilm.

How can the minister reconcile delaying the tabling of the Juneau report until January 15 when budgetary decisions have to be made now about three major Canadian cultural institutions, namely the National Film Board, Telefilm and the CBC?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, there is no doubt that I would have liked to have received this report today, but that is not the case. I have spoken to the chairman of the mandate committee, and have pointed out to him that I fully intend to have the January 15 deadline met. At that time, I will release the report.

As for the relationship between mandates and budgetary decisions, it is clear that we will need to work faster, and we will.

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, does the minister intend to grant the private industry and audiovisual industry's request, which is a real cry of alarm, that Telefilm and the resources allocated to the motion picture and television production industry be maintained?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, our colleague mentioned earlier that the government was planning to dismantle Telefilm Canada. I would like to know where she got that information. How could we plan to do so, when we have not yet received the report, which, as she just said, will be tabled on January 15? Decisions will be made at that time.

[English]

**THE ECONOMY**

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, for the second time this year the OECD has proven that the Liberal economic and social policies are failing.

The Liberals have driven growth down to 2.3 per cent from 4.2 per cent. They have increased taxes and killed jobs. They have driven more people on to welfare and closed more businesses.

If the Minister of Human Resources Development really cared about the 1.2 million people he has left unemployed, would he not create jobs by rolling payroll taxes back by more than the wooden nickel he is?

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, the hon. member's question reminds me of that very felicitous phrase used by her colleague from Calgary when referring to the Minister of Health. It seems that like dogs the members of the Reform have a fascination with trees.

In response to the question, the hon. member knows that tomorrow we will be presenting an employment insurance package. I think the hon. member will find there will be a number of initiatives in that package that are designed to help Canadians get back to work and, in particular, to provide incentives for the business community to create jobs.

• (1450)

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, I do have a sense of humour, so I will let that tree comment pass.

The Minister of Human Resources Development is a tax junkie. He gets his fix by funnelling billions of dollars from UI into wasteful job creation schemes and into deficit reductions. However there is hope for recovery. The minister can register today in a 12-step program to break his tax addiction.

Will the minister commit to breaking his tax addiction by rolling payroll taxes back by more than a wooden nickel?

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, I appreciate the hon. member's sense of humour. It is always nice to discover that somebody in this House has one. It is a refreshing change.

However, the hon. member should check with statements made by the finance critic for the Reform Party. He was complaining about all the problems related to the deficit. Now the hon. member wants us to take away even more money, which

would add to the deficit. It would seem to me that sooner or later the Reform Party should get its act together.

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#### STATUS OF WOMEN

**Ms. Beth Phinney (Hamilton Mountain, Lib.):** Mr. Speaker, it has been 25 years since the Royal Commission on the Status of Women outlined its concern with regard to women's economic status, specifically, various aspects of their paid and unpaid work.

Could the Secretary of State for the Status of Women please inform the House what the government is doing to improve the economic status for women?

**Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.):** Mr. Speaker, while it is true that the royal commission looked at the economic status of women and related that as well to ensuring that violence against women would be reduced, we also brought in the whole question of employment equity and the right of women with equal competence and merit to have access to fair jobs and to break the glass ceiling, as it is called.

At the same time, we have recognized that the unpaid work of women and men is of great value to our society. It was an issue we brought to the meetings in Beijing. The issue of unpaid work and its value is now part of the platform for action out of Beijing. Canada is the first country in the world that will measure both the work and the value of unpaid work to our society as we push and promote women's economic access to independence in our country.

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[Translation]

#### IMMIGRATION

**Mr. Osvaldo Nunez (Bourassa, BQ):** Mr. Speaker, my question is directed to the Minister of Citizenship and Immigration. Anatoli Delets and his family came to Canada from the former Soviet Union in 1992. Their refugee claim has been turned down and this family, despite having integrated well into Quebec society, will soon be deported to Moldavia. There is every reason to believe that they will be subject to the same persecution as they were before they left that country, for Mrs. Delets is Jewish and is not considered a Moldavian under that country's laws.

How can the minister explain that, instead of exercising his discretionary powers to allow the Delets to become permanent residents, he has allowed employees of his department to arrest Mr. Delets and place him in a detention centre awaiting deportation, which will take place as soon as his wife is released from hospital?

#### Oral Questions

[English]

**Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the people the member refers to had full due process under what can be argued to be the best refugee determination system in the world. They have also received a humanitarian and compassionate review from my department as well.

There was also the possibility of trying to facilitate in response to the family, rather than going back to Russia perhaps for a facilitation into Israel.

It is absolutely unfair for this member, given the statements that have come from that side of the House with respect to immigrants and the role they can play in society, to suggest that Canada has been unfair to them.

[Translation]

**Mr. Osvaldo Nunez (Bourassa, BQ):** Mr. Speaker, Mrs. Delets is ill in hospital. Where is Canada's humanitarian policy? Does the minister not believe that it is his duty to show compassion when there is every reason to believe that the Delets family faces incalculable risks, since the Moldavian embassy in Washington has notified them that they are no longer welcome in that country?

• (1455)

[English]

**Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, when it comes to compassion and how we treat Canadians from various ethnocultural backgrounds, we need no lectures, no lessons from that side of the House.

No one suggested we would take her out of the hospital and deport her. There were rumours suggesting that we were going to deport part of the family and leave the other part in Canada.

Members of Parliament from our side made representations to the ministry and officials with respect to a compassionate deportation. We have shown that compassion. We have not forced anyone from a hospital bed. To make such allegations is simply a reflection of the manipulation for which his party is well known.

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#### HIV-AIDS

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, when we toured the Saskatchewan penitentiary in Prince Albert the guards expressed concern that neither the guards nor the prisoners were aware of inmates who were HIV positive. They did not even know which inmates had AIDS.

Can the Solicitor General of Canada tell us when he will protect the lives of guards and prisoners by making HIV-AIDS testing mandatory for all prisoners?

*Business of the House*

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, a year ago there was a report of an expert committee on this matter.

The correctional service is moving to implement almost all the recommendations of the committee designed to control the spread of AIDS in federal prison institutions and have a safer atmosphere for inmates generally.

There is an increased use of testing but mandatory testing raises important legal and constitutional issues which are still being considered. We are working to deal with the issue in the spirit and light of the recommendations of the expert committee.

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, it logically follows then if the solicitor general is not willing to make HIV and AIDS testing compulsory, that the government and the minister will be liable for damages when other prisoners and guards contract HIV or AIDS while under his care.

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, the Correctional Service of Canada has been moving for over a year to implement the recommendations of the expert committee on AIDS. This includes a greater degree of HIV testing as well as a number of other measures to control, limit and lessen the spread of AIDS.

I would think that if the hon. member is concerned, he would read the report of the committee and support us in implementing its recommendations.

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**CANADIAN WHEAT BOARD**

**Mr. Vic Althouse (Mackenzie, NDP):** Mr. Speaker, my question is for the minister in charge of the wheat board.

In the 1970s, farmers bought hopper cars through the wheat board and governments bought hopper cars because railways refused to supply cars for shipping grain.

Recently the minister's SEO committee recommended that farmers pay \$1 per tonne for the purchase of the government's 13,000 hopper cars. Although farmers would pay for them, ownership would revert to the railways.

Since the deregulated U.S. style system this government is emulating has one abiding rule, if you want rail service, you had better own rail cars, why does he not instead allow the wheat board to own the cars on behalf of farmers?

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the hon. gentleman is referring to a report that has been received by the government from a group of senior executive officers in the grains industry, including a number of farmers, which has come forward with some

ideas about how to deal with hopper car ownership and rail car allocation issues.

That report is presently being discussed among farm organizations in western Canada. As yet the government has taken no decision with respect to our response to that report.

One point is important to note. The report represents a consensus among a widely divergent range of interests. It is not entirely fair to the situation to single out one recommendation relating to car ownership and not also observe that another recommendation from the SEO's group to balance that recommendation was referred to by the hon. gentlemen. Another recommendation from that same group was to maintain a maximum limitation on freight rates for a period of one full decade.

\* \* \*

● (1500)

**AIRLINE SAFETY**

**Mr. Sarkis Assadourian (Don Valley North, Lib.):** Mr. Speaker, my question is for the Minister of Transport.

Considering that pilot safety is one of the most serious issues facing the Canadian airline industry today, can the minister tell us when he will implement the flight duty regulations introduced this summer?

**Hon. Douglas Young (Minister of Transport, Lib.):** Mr. Speaker, the whole question of how the pilots and the attendants spend their time, how many hours they are allowed to work, has to be taken into account as a result of extensive consultation with the industry. We have also looked at what happens in other countries. We have tried to strike as fair a balance as we can.

I am pleased to advise the hon. member that we will be introducing and implementing those new regulations late next spring.

**The Speaker:** This brings to a close the question period.

\* \* \*

[Translation]

**BUSINESS OF THE HOUSE**

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, it would be appreciated if the Government House Leader would announce the business of this House for next week.

[English]

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, today and tomorrow the House will consider second reading of Bill C-110, the bill on the regional veto. If

this is completed, we will call Bill C-108, the housing legislation, followed by Bill C-99, the small business loans bill.

On Monday the House will deal with the motion now on notice in the name of the Minister of National Defence regarding the Bosnia peace process. Tuesday shall be an opposition day. On Wednesday we will return to the resolution concerning a distinct society. Next Thursday and Friday shall be opposition days.

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## GOVERNMENT ORDERS

[English]

### CONSTITUTIONAL AMENDMENTS ACT

The House resumed consideration of the motion that Bill C-110, an act respecting constitutional amendments, be read the second time and referred to a committee.

**Mr. Morris Bodnar (Saskatoon—Dundurn, Lib.):** Mr. Speaker, it is my pleasure to speak on this matter today, especially in light of some of the comments made earlier by different members, in particular from the Reform Party.

In discussing this piece of legislation we have to look at what has already taken place and the rules that are presently in place. We have to look at the existing rule, the seven, ten, and fifty rule, requiring seven provinces out of ten to agree, with fifty per cent of the population. Under this particular rule, the Atlantic provinces, if they all agree on not supporting an amendment, have a veto. Ontario has a veto simply by virtue of population. The western provinces, if four of them get together, effectively have a veto as well. The only region of Canada that does not have a veto under the rule is Quebec.

• (1505)

It is not a matter of fairness when one region of Canada does not have a veto when three regions already can effectively veto legislation. We have to look at rectifying this situation.

Under Bill C-110 there are four regions, which have been referred to many times. One has to read Bill C-110 closely to determine that it does not deal with vetoes; it simply deals with the consent that is required to effect a constitutional amendment. Under the bill the consent of Ontario is required, the consent of Quebec is required, and two or more of the Atlantic provinces that have a combined population of at least 50 per cent of the population of all the Atlantic provinces, as well as two or more of the western provinces that have a combined population of at least 50 per cent. The rules change somewhat when moving to the second step.

I suggest the people of Saskatchewan now are better off. Under the previous rules it was quite difficult for Saskatchewan

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to stop legislation. It was difficult for Saskatchewan to deal with legislation because to exercise the veto all four western provinces had to agree. Under this rule, however, Saskatchewan along with B.C. or Saskatchewan along with three of the western provinces can stop legislation. It is much more effective for the province of Saskatchewan than in the past.

For a small province like Saskatchewan this is most helpful. The population of Saskatchewan is small, but it is being treated very well by Bill C-110. Saskatchewan's position has improved, but it has not improved at the cost of any other province.

I have listened to the speeches of Reform members. They indicated there should be five regions, with B.C. having a veto, or even six regions, with B.C. and Alberta having vetoes. It appears they are willing to cut loose Saskatchewan and Manitoba because there should not be two provinces in one region having a veto with such a small population. I find it interesting that the Reform Party would cut loose those two prairie provinces by having vetoes for the two most westerly provinces. It would cut them loose and they would not have a say in constitutional amendments. Are the occupants of these two provinces simply chopped liver?

The federal government has considered all the regions of the country and all the provinces, no matter how small the population. Saskatchewan was considered, Manitoba was considered, and provinces such as P.E.I. were considered.

To hear Reformers speak, it certainly appears that the Reform Party is willing to abandon Saskatchewan. The Reform Party has not proposed anything for Saskatchewan and Manitoba. It has not proposed anything because the Reform Party has abandoned us. Let me remind the Reform Party that in the next election the people of Saskatchewan will not forget what Reform has done.

The suggestion has been made that British Columbia may reach 50 per cent of the population in western Canada. That is a possibility. If any more people from Saskatchewan move to British Columbia, it should reach that sooner than we may think. That has certainly happened in the past. However, Saskatchewan can hold its own and may attract a few people back to Saskatchewan from British Columbia and may hold its own for the next number of years.

• (1510)

If British Columbia reaches the level of having 50 per cent of the population, some of the speeches made today by the Reform Party indicate that in effect British Columbia would have a veto and none of the other provinces in the west would have any effect. This is absolutely not true.

Two or more provinces with 50 per cent of the population in the west must consent to a constitutional amendment. Yes, British Columbia may get a veto if it has 50 per cent of the population, but even if British Columbia wants to consent to

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legislation, the other three prairie provinces can stop that legislation even though they do not have 50 per cent of the population. In effect, both areas have a veto. British Columbia has the veto and the prairie provinces have a veto.

Again, it appears this is a little too much for some members of the Reform Party to indicate in the House. They want to show that we have not given any consideration to the prairie provinces, which is absolutely false. All areas of Canada have been considered by the Liberal Party. In particular, all small provinces have been considered, whether they are in the prairies or elsewhere.

The Reform Party has complained that B.C. does not have a veto now, and then says that if it does the prairies will not have any say. As I have indicated, this is not only wrong, it is false and a misrepresentation of what is in Bill C-110.

It certainly would help if the members of the Reform Party, before they start speaking in the House on a bill like Bill C-110, read the legislation. It is very short; it is one paragraph and two subsections. It is not very difficult to go through. It would maybe take a minute if they concentrated on it, half a minute if they went through it quickly, five minutes if they wanted to reread it. Simply going through it in that manner, they could and would determine that both areas have a veto built in. British Columbia, when it reaches 50 per cent of the population, would have the equivalent of a veto. The three prairie provinces together would also be able to stop legislation, because consent requires two provinces in the west.

We have accomplished what the Reform Party has been talking about. Unfortunately the Reform Party has not seen this today.

That is a perspective from a small province in western Canada, the province of Saskatchewan, which is benefiting from Bill C-110, as do many other regions of Canada. And it is benefiting not at the expense of any other province.

**Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.):** Mr. Speaker, it is very interesting to hear a member from the province of Saskatchewan oozing around this question of what the legislation will do for or to the small provinces. I am glad he has cleared this up, because we know that Saskatchewan has not been relegated to fourth class status but only to third class status. This is progress. I really do appreciate the hon. member's words.

When he goes home to Saskatchewan and is able to present his case before his electors, I am sure they will be thrilled beyond measure by this. If the name of a certain Norwegian during the last war, which Beauséjour will not let me mention, is ever

raised at one of his meetings, he will know what they are talking about.

**Mr. Bodnar:** Mr. Speaker, it is nice to hear comments from a member when he refers to oozing around this. Unfortunately I do not know what he means by oozing. The reference that we are not relegated to fourth class but to third class is absolutely false and shows a complete misunderstanding of what is in Bill C-110.

• (1515)

Under the existing constitutional formula the province of Saskatchewan could only stop a constitutional amendment with three other provinces. That would require all four provinces in the west to stop a constitutional amendment. Under this legislation, Saskatchewan with three of the smaller provinces in western Canada could stop the legislation or Saskatchewan and British Columbia could stop an amendment.

This is a tremendous improvement for the province of Saskatchewan. I simply ask that the member perhaps look at the legislation first.

**Mr. John Murphy (Annapolis Valley—Hants, Lib.):** Mr. Speaker, it is with great pleasure that I rise today to participate in this important debate. Bill C-110 may be one of the smaller bills we will debate in the House. Although it is only comprised of one clause it is certainly one of the most important.

This past Monday the Prime Minister announced three key initiatives: to recognize that Quebec forms a distinct society within Canada; to undertake changes to bring government services and decision making closer to citizens; to ensure that we do not make any constitutional changes that affect Quebec without the consent of the Quebec people.

Bill C-110 is an important component of our commitment to a united Canada. It is also proof of our government's willingness to make positive and substantial changes to the way Canada works. As the Prime Minister and the government have proven time and time again, when we make a promise we keep it.

Liberal governments in the past have offered strong support for regional vetoes. The action we are taking now transforms the principle we have long supported into reality.

I will take a few moments to go through some of the specifics of the bill. As it currently stands in Canada's Constitution, only the federal government has the specific veto over constitutional change. This legislation will change that.

By implementing Bill C-110 we will now require consent of all Canada's regions, Quebec, Ontario, Atlantic Canada and the west, before any constitutional amendments that affect them can be proposed in Parliament. In the case of Atlantic Canada and



the west, consensus much be reached by two or more of the affected provinces representing more than 50 per cent of the region as a whole.

In tabling the bill our government is keeping a commitment we made to the people of Quebec. We also recognize that the constitutional amendment process is of interest to all parts of the country. That is why we are lending our veto to Canada's four regions.

The one clear message we heard on October 30 was that the status quo was no longer acceptable. I have also heard this message from my constituents in Annapolis Valley—Hants. During the referendum campaign and in recent weeks I have spoken with many people on the issue. I have received numerous telephone calls and letters from constituents who have offered many valuable ideas and suggestions. I have moved those suggestions on to the appropriate people.

In Annapolis Valley—Hants people have said clearly that they want Quebec to stay. They have also clearly expressed their desire to be heard on any future constitutional issues. The implementation of a regional veto will achieve both these goals.

It responds to the concerns of Quebecers. For many years Quebec has called for a veto on amendments to the Canadian Constitution. By implementing Bill C-110 we are saying that we want Quebec to be an active participant in the evolution of the Canadian Constitution.

• (1520)

The bill will also protect Quebec against amendments that could diminish its powers, rights and privileges. The government recognizes the legitimacy of Quebec's concerns. Bill C-110 offers strong recognition of the fact that as the nation evolves we must work to ensure constitutional changes are acceptable to all Canada's regions. We also recognize that constitutional change cannot and should not be made if a substantial portion of Canada's population does not approve.

In the final days leading up to the no vote the nationwide grassroots outpouring of public sentiment was a significant factor in the no victory. The giant 150,000-person pro-Canada rally in Montreal was an emotional watershed in Canadian history. Tens of thousands of Quebecers came out and declared their desire to remain in Canada. Canadians from every province came to Quebec to say loud and clear: "We want you to stay".

I was fortunate, along with other members, to have the opportunity to be at that rally. That morning I was in Dorval airport waiting for the unity plane to arrive from Halifax to join with my fellow Nova Scotians and Atlantic Canadians in delivering a message of unity. It gave me the opportunity to share their deep affection for the country. I never felt more proud to be a Canadian.

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Some people say Canadians do not wear their flag on their sleeves and do not show their national pride. When the chips are down Canadians are the proudest people of any nation on earth. Now is the time for us to repay the confidence the people of Quebec have shown in us. It is time to prove to Quebecers that their trust is not misplaced.

It is true the initiatives we are now debating will not satisfy leaders of the separatist government in Quebec or separatist members in the House. Quebec leaders have been very vocal in their refusal to negotiate with the federal government. However in so doing they are doing a disservice to their constituents. The people of Quebec are more reasonable than the extremist leaders of the yes camp. These changes will help to restore their faith in Canada.

I support the bill because it addresses the concerns in Quebec and the desire of citizens in all Canada's regions to be heard on constitutional issues. This initiative shows that we have listened to the call for change. We have listened to the people of Quebec and we have listened to our constituents. Now is the time to move forward.

Canada is a continuously changing and evolving federation. By supporting Bill C-110 we can be sure future change will be beneficial to Quebec and all other Canadian regions.

**Mr. Bob Ringma (Nanaimo—Cowichan, Ref.):** Mr. Speaker, I will be splitting my time with the hon. member for Kindersley—Lloydminster.

It gives me pleasure as a loyal Canadian to rise in the House today to speak to Bill C-110. It is a privilege to stand in the Chamber to outline the reasons I oppose the bill. As someone who was not present as a member of the House when the previous Parliament debated the Meech and Charlottetown initiatives, I nonetheless have an eerie feeling of déjà vu. If the legislation were some grade B horror movie they could very well have called it "Son of Meech".

• (1525)

I must preface my opposition to the bill by noting an old saying I have heard several times in the House: those who do not learn from the mistakes of the past are destined to repeat them. History, or so it would appear, is not a subject with which the framers of the legislation are even remotely acquainted. Those historical remarks come very close to describing the thoughts of all Canadians on the bill.

I listened to the Prime Minister yesterday and I looked at the bill before the House today. I cannot help but ask myself if the Liberal government has not learned anything in 30 years of constitutional wrangling. The answer would clearly appear to be a resounding no. This would be much the same response Canadians everywhere would give to this package if, and it is a big if, they could be given a say in its acceptance or rejection.

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The bill does not give the power of veto to the people. It is the very worst kind of top down decision making because it gives the final say to politicians. To this I ask again if hon. members on the other side have learned nothing. Worse yet, this initiative along with the motion tabled in the House yesterday is an action born out of desperation. It is the worst example of so-called leadership we have seen in recent memory.

Without consulting his caucus, the unity committee, the premiers or the Canadian people, Mr. Chrétien has unilaterally offered further appeasement to Quebec separatists.

**The Speaker:** Order. I know it was probably a slip but we refer to other members by their titles and not by their names.

**Mr. Ringma:** Forgive me, Mr. Speaker. It was an oversight. I meant the Prime Minister.

In any event I ask the Prime Minister and the government if they have not learned anything from the past. It is clear that the Prime Minister has not. He is determined to allow history to repeat itself. Following his speech yesterday on the other half of this initiative, the hon. member for Beaver River was moved to say it was like listening to former Prime Minister Mulroney defend the Charlottetown accord.

In addition to telling the past, history also affords us the ability to gaze tentatively into the future. That is why when I look at the bill I see past failures along exactly the same lines as those being proposed here.

The bill seeks to implement an amending formula similar to that contained in the Victoria charter of 1971. However, just as insulting to Canadians, the formula was rejected at the time by provincial premiers. The initiative before us does not take into account the realities of today's Canada, that the people of the country want a final say in how their Constitution is amended through referendum. They do not want the process controlled from beginning to end by the political elites of the country. That much should have been learned by the government following the Charlottetown accord.

The bill would certainly place a constitutional straitjacket on any certain constitutional changes, no matter how desirous they might be. The bill would allow the federal government to withdraw its support for any proposed change if either the premier of Ontario or the premier of Quebec did not like it.

• (1530)

In addition, as this bill would not be part of Canada's Constitution so far, the old amending formula would apply as well. The combined effect of this situation means some bizarre form of double jeopardy would apply to proposed constitutional amendments. That is not good.

Beyond that, this bill would not be acceptable to many Canadians because it gives the separatist Government of Quebec a veto over the Canadian Constitution. I ask that the members on the government side think about the consequences of that action for a moment. A separatist government would now be handed a de facto veto over the Constitution of a country it has decided to break apart. Has the Prime Minister thought about the consequences of such an action?

From a personal perspective as a representative from the province of British Columbia, I am offended by this bill. Implicit in it is the notion that British Columbians are relegated to second class status in Confederation. I would also remind members across the way that along with Alberta and Ontario, B.C. is one of the three net contributors to Confederation. All that this legislation serves to do is perpetuate the mindset within the federal government that B.C. and the west is a colony.

When I was a boy in Vancouver some 50 or 60 years ago, I was conscious of a separatist movement within British Columbia at that time. It came about because it was resentful of the treatment accorded the west by central Canadian interests. It seems to me that precious little has changed since then, despite the fact that B.C. is now the third most populous province.

I have a warning for the government across the way. Proposals such as Bill C-110 before us are sure to rekindle the separatist fire in the west. That is something we do not want to have happen.

As a loyal Canadian, I will be voting against this bill every step of the way.

I further encourage members opposite to join with me and do the same if they think about the constitutional consequences of this bill for Canada, if they believe in their heart of hearts that the people of this country, not the governments, are the ones who know what is in their best interests. If they understand the lessons that 30 years of constitutional bickering have taught us, if they truly understand all those things, then they must vote against this bill. To do otherwise is an affront to all Canadians.

**Mr. John Harvard (Winnipeg St. James, Lib.):** Mr. Speaker, the hon. member from Cowichan and the Islands misunderstands the intent of Bill C-110. He claims that the people would like to have the final say in constitutional matters. Bill C-110 does exactly that. Let me explain to the hon. member.

If his great province of British Columbia, a province in which I resided at one time, would like to cast a veto and would like to borrow the federal veto but before doing that it wants to go to the people of British Columbia in a referendum to sanction that action, that is allowed for in Bill C-110.

Bill C-110 in no way stops the people of British Columbia from taking a decision on a constitutional matter. That includes the veto. If the member wants the veto of the province of British

Columbia sanctioned by the people, for heaven's sake go right ahead and do it.

I can assure the member that under this legislation, if the province of British Columbia comes to us along with another province in the western region and says, we want a veto cast because we have held a referendum and the people in our province have asked for the veto, it will be respected under this law. There can be no other interpretation. You can respond to that if you like.

• (1535)

**The Speaker:** Order. I encourage all hon. members to address the Chair instead of speaking to one another.

**Mr. Williams:** Mr. Speaker, I rise on a point of order. The previous speaker kept referring to something other than the motion before the House.

**The Speaker:** We are going to have an answer here from the hon. member for Nanaimo—Cowichan if he cares to have the floor for a minute or two.

**Mr. Ringma:** Mr. Speaker, the main response I would have for the hon. member is that the intent of this bill is not directed at British Columbia or the west. The intent of the bill is another sop to the separatists of Quebec. That is its total intent. In effect, the west is disregarded, as it has been, as I tried to point out, for the last 50, 60, 70 years. It is a continuation of the same old thing.

Anything the member might say about what wonderful things this will do for the west I reject as nonsense.

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Mr. Speaker, I thank the House for the opportunity to speak to Bill C-110.

This is a serious time in the history of our country. I see all the empty chairs across from me. I cannot speak to members who are not here, but you would think there would be more than two Liberal members in the House.

**Mr. Harvard:** Respect the rules.

**The Speaker:** I ask all hon. members to refrain from mentioning whether the House is full or empty, who is here and who is not. There are traditions.

**Mr. Hermanson:** Mr. Speaker, I know that many Canadians are watching as we debate Bill C-110 which would give veto power over constitutional change to four regions in Canada, one region being the region I am from, western Canada, four provinces with a population of over eight million.

I have been requesting feedback from the province of Saskatchewan. Early indications are that there is absolute rejection of the proposal put forward by the government in Bill C-110 and also in the motion we debated yesterday, the motion on recog-

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nizing the distinct society as a special status for the province of Quebec.

I plead with the government to reverse its direction, reverse its position and walk away from the failures of the past, the closed door approach, and embark on a new course of action, an open and an honest approach with clear proposals that are made open to members of the public, that they can access those proposals and that they can also express their opinion in quantifiable ways.

I want to talk about past performance. When we have gone down this road before what has happened? We have two classic examples, the Meech Lake accord and the Charlottetown accord.

I grant that with the Charlottetown accord there was a referendum and Canadians were able to express their opinions. From one end of the country to the other they said no to the Charlottetown accord. They said no in the province of Quebec, but they also said no in the province of Saskatchewan, the province of Alberta, the province of British Columbia and even the province of Nova Scotia.

How do we come up with these concoctions, particularly the Meech Lake accord and the Charlottetown accord? How did we develop something that was rejected so adamantly by Canadians?

It started out with 11 people behind closed doors. If you go back to the Meech Lake accord, it was 10 premiers and the prime minister. It was Prime Minister Mulroney, the Conservative prime minister. They got behind closed doors and began a wheeling and dealing session. We are opening the opportunity for another wheeling and dealing session with Bill C-110.

What happens when they start wheeling and dealing behind closed doors? In Saskatchewan, Premier Devine sat at the table and said: "I will go along with this Meech Lake accord idea, but I want something for it". What did he ask for? He got a billion dollars for the agricultural industry. It was a difficult time for agriculture, so he said: "I will sell my soul for a billion dollars".

I spoke shortly after that decision with an aide of one of his MLAs. This was during the time of the GST debate when the federal government was trying to implement the GST. I said to this member's aide: "Why did our provincial government agree to lend support? Why are we going on with the GST and why are we going along with the Meech Lake accord concept?" Very honestly this assistant said: "You have to do something to get a billion dollars".

• (1540)

We have paid billions of dollars in GST to get that billion dollars. As a province we signed on to the Meech Lake accord even though the people of Saskatchewan opposed it.

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Closed door negotiations without including the Canadian public is wrong. More than that it is dangerous. It very costly. It detracts from the reputation of politicians. It gives us a bad name.

We got our billion dollars. Newfoundland got Hibernia. Joe Ghiz in Prince Edward Island got the fixed link. Mr. Bourassa thought he was going to get a special deal for the province of Quebec. We all remember there was a big news story when his staffers got caught talking on a cell phone. They were debating whether or not he had sold out too cheaply, whether he gave up too much. In this cell phone conversation that was recorded some of his assistants felt that Mr. Bourassa had settled for too little.

That tells us they were wheeling and dealing behind closed doors. They were wheeling and dealing with our future. It is wrong. It is dangerous. It is sad that this government is embarking on the exact same course with the implementation of Bill C-110. It needs to be defeated. It will not be accepted by the Canadian people if they have any say in whether it is a success or not.

The same thing was going on in British Columbia. The wonderful thing about modern technology is that some of these politicians get caught. They get tripped up. One of the B.C. cabinet ministers, Moe Sihota, was in the interior of B.C. He did not realize there was a reporter or a camera there or he was not thinking. He talked about how B.C. had got the best of the deal at other provinces' expense.

There was outrage in the province of Quebec. People realized there was wheeling and dealing behind closed doors. There are winners and losers. The winners are not the people. The winners are the politicians who are trying to get re-elected by making these deals behind closed doors. It is shameful and it is disgusting.

What happened with the province of Alberta? Mr. Getty wanted something but it has not lasted. He got the election of a senator. We have elected one senator to the other place and that was through wheeling and dealing with the Meech Lake and Charlottetown accords. This one happened to be in relationship to the Charlottetown accord. That was his plum and it did not even last. He got one senator elected and after that we just slipped back into the old patronage system where friends of prime ministers are appointed to the other place. It was not a very valuable plum that the premier of Alberta received from his wheeling and dealing behind closed doors.

The previous prime minister, Mr. Mulroney, has been in the news a great deal lately. He was involved in this wheeling and dealing. How did he describe this whole process? He described it as the rolling of the dice. Do you remember that, Mr. Speaker? You remember how incensed Canadians were. It began the demise of the former prime minister as Canadians began to realize these people were not looking out for the best interests of Canadians. They were out to protect their own hides and wheel

and deal and see what they could get. They were gambling with our future. It was repulsive to Canadians then and I assure the House, as sure as I am standing here, it is repulsive to Canadians today.

If we give the regions a constitutional veto through their governments alone and bypass the people, there will be wheeling and dealing again. As sure as I am standing here there will be closed door negotiations. They will be sitting in a hotel room somewhere deciding who gets how many senators. They will be deciding what distinct society means. They will be deciding what special privileges this confers on the province of Quebec. They will be deciding what plums the province of Ontario gets, if they go back to this wrongful way of deciding our country's future.

It is time for a new direction. It is time to bypass governments and their whips. It can be said these 11 people represent the electorate because they were voted in. I have been here long enough to know that the way the electorate are represented in this House is by way of the traditional party whips who whip their members into voting for legislation. I have been told and I believe that the same thing happens in our provincial legislatures.

• (1545)

You have given power to eleven people without giving true accountability to the public if you allow the provincial governments to have a veto, bypassing the people and not allowing them to speak their minds through a referendum. In most cases Canadians will reject the approach of determining our country's future behind closed doors.

I conclude by expressing how important this is. We are not talking about fishing violations. We are not talking about registering a pesticide. We are talking about the future of our country. We are talking about the operations manual for the future of our country. This will have an impact on my three children. It will have an impact on our grandchildren. It will impact future generations, who will ask how eleven people managed to wheel and deal their future away and no one rose to speak against it.

I am standing against this process. It is wrong. It is harmful to Canada. It is harmful to our reputation as a democracy. It cannot go on. It has to stop. Canadians keep telling us to stop. When will the government listen and abide by the wishes of the people?

**Mr. John Harvard (Winnipeg St. James, Lib.):** Mr. Speaker, I have to rise again because I cannot believe what I am hearing from the other side of the House.

Bill C-110 has to do with lending the federal veto; it has nothing to do with enabling a constitutional initiative. This has nothing to do with a province wanting to change the Constitution. This is simply a matter of a veto, providing it through federal legislation, offering it to the four regions of the country.

I do not think a service is provided to the Canadian people when this kind of disinformation is disseminated across the country by the Reform Party.

Let us get this straight: this piece of legislation does not change the Constitution one iota. This is a narrow initiative having to do with the veto, having to do with offering the federal veto to the four regions. It is as simple as that. It is unjust, it is wrong, and it certainly is spreading disinformation to speak otherwise.

**Mr. Hermanson:** Mr. Speaker, in responding to the hon. member for Winnipeg St. James, we are not talking about a change to the Constitution, but about a new constitutional procedure that could be implemented under the seven and fifty rule.

We are talking about using the legislatures of the provinces twice to try to implement something behind closed doors, rather than going to the Canadian people to ask them directly what their opinion is and then having that ratified by the seven and fifty formula, seven provinces with fifty per cent of the population agreeing to the constitutional change.

This is a very dangerous bill. It is trying to pit province against province. It is trying to find out who will put forward the best deal. B.C. and Manitoba in the western provinces, or Nova Scotia and Newfoundland in the Atlantic provinces, can somehow concoct a deal with the federal government, with the support of Ontario and Quebec, to change our Constitution without going to the Canadian public. Once that is done, the second step is much easier, which is getting seven provinces with fifty per cent of the population to agree to the constitutional change. It is sneaky, it is crafty, and it is wrong. It should be stopped.

**Mr. Derek Wells (South Shore, Lib.):** Mr. Speaker, I am pleased to rise in the House today to speak on Bill C-110, an act respecting constitutional amendments. I applaud the Minister of Justice for bringing forth such legislation at a time when our country is looking to its politicians for direction. I feel that this legislation is an important first step toward involving the provinces more directly in the introduction of constitutional amendments that directly affect their respective citizens.

• (1550)

I was in Verdun on the Tuesday before the referendum and I heard the Prime Minister's commitments to Quebecers and to Canadians. I was in Montreal on the Friday for the incredible unity rally with a large delegation from my South Shore riding and with some of my family. I experienced the incredible goodwill and outpouring of affection for Quebec and of course for Canada that occurred in Montreal. There were 150,000 of us, but we represented many more.

Those of us who were there and the many others we represented came away from Montreal with a renewed commitment

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to Canada and a greater understanding of what this country is all about. We also recognized that there would have to be changes in the federation of Canada, not only a recognition but a will to see that this would be done. We left Montreal fearful for Canada but confident and recognizing that after the vote the promised changes would have to be implemented.

After an agonizing Monday evening we all woke up on Tuesday morning realizing that we had almost lost our country, almost lost Canada. We also woke up with a renewed will to do what had to be done to ensure that Canada was not destroyed. There was a recognition that Quebecers voted for change but change within Canada.

This bill and the distinct society motion are both a fulfilment of the Prime Minister's commitment made in Verdun and a beginning of the change Quebec voted for, which Canadians support.

In a federation like Canada there is a delicate balance of power between the provinces and the federal government. Throughout our country's history it has not been easy to maintain this balance and appease the entire country. Let us face it, Canada is both the most decentralized country in the world and the largest. People want to maintain their own identity associated with their respective province. Yet many of our most fundamental services are centralized in the federal government.

I feel very close to my home province of Nova Scotia and to Newfoundland, my province of birth. Yet I am most certainly a federalist. It is important to maintain certain services at a national level so that this diverse country remains the same in some ways and creates a common bond among all Canadians.

I believe this bill is very important to Canada as a federation. It is not easy for any federal government to accommodate all facets of its society. This bill is a step toward hearing the voices of the provinces, especially in cases where amendments put forth by the government could be detrimental to a particular region of the country.

As I said previously, Canada's federation is a balancing act. The desires of all provinces must be taken into consideration and given their due weight in the entire scheme of things. The way in which the veto power will work I am sure was not an easy thing to determine. However, the formula that has been decided upon is in my view satisfactory. This particular formula is a replica of the formula contained in the Victoria charter, which has been discussed in constitutional circles for decades. Even as recently as 1991 this formula was recommended for adoption.

The provinces will now be doubly protected in constitutional matters that directly affect them. This, in conjunction with the Prime Minister's motion on distinct society, is part of what Quebec has been asking for. I believe the other provinces will be pleased to have the same power to veto.

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The balancing act I have mentioned is not only between the federal government and the provinces, it is also among the provinces. Provinces, like people, feel it is paramount to maintain equality with their counterparts and receive equal treatment. That is why I am pleased this bill will make regions within Canada equal to all other regions. Most important, the veto will involve all ten provinces, not just one. The balance has been maintained.

Coming from a province the size of Nova Scotia, I am pleased that the veto has been extended to all of the regions. It will serve as an added protection to all provinces, especially for smaller provinces, as in Atlantic Canada. The fact that the provinces included in the regions are either alone or grouped together with provinces with similar demographics makes the bill both fair and equitable.

• (1555)

The new veto is especially important to Quebec. Quebecers should have the right to halt a constitutional amendment that could endanger the preservation of their distinct culture, language, and civil law. It is unfortunate, however, that the Bloc Quebecois will not accept this bill as a first step toward what should be our common goals. The Bloc will do everything in its power to discredit this type of action, although any other action, be it constitutional amendment or whatever, would prove to them to be unacceptable.

The agenda of the official opposition is to have Quebec separate from Canada. Hon. members opposite should accept reality and come to the realization that Quebecers voted to stay within Canada. We on the government side have recognized this fact and are dealing with it. This bill is a first step toward improving our country and making some necessary changes.

While the Bloc will argue that this bill does not go far enough, the Reform Party will argue that it goes too far. The Reform Party will agree to change only if that change means nothing. There are some members of Parliament who would like to separate Quebec from Canada. There are other members of Parliament who would like to separate Canada from Quebec. These people will never be satisfied.

The Constitution is up for review before April 1997. It will be counterproductive to have constitutional talks now rather than waiting for the review to take place so that we know if and where changes are needed. This bill, as I have said, is the first step toward fixing what needs to be fixed in Canada. I believe it will be quite productive to deal with one issue at a time, as the Prime Minister is presently doing.

Quebecers who voted in the referendum want Parliament to prove we are listening to them. Canadians who wished they could have been at the rally in Montreal want Parliament to

prove we are listening to them. Canadians want Parliament to make sure we do not lose sight of the forest for the trees.

I hope those Canadians who invested their hearts in the rally in Montreal will see that Parliament is working hard to make a difference for the better. I hope Quebecers and all Canadians will encourage their members of Parliament, regardless of their party affiliations, to vote for this progressive course of action.

This bill is central to the accommodation of the diverse cultures that are evident in Canada's four regions.

**Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.):** Mr. Speaker, it gives me great pleasure today to speak in favour of the actions being undertaken by our government to further the process of ensuring a united Canada. Our actions will recognize the reality of Quebec as a distinct society, increase veto power, and move to eliminate duplication in the area of training.

Prior to the victory for national unity in the recent referendum in Quebec, Canadians from all provinces told us they wanted Quebec to stay in Canada. They told us they understood Quebec's frustration, understood that we must make changes to address the needs of our fellow Canadians in Quebec. They told us they recognize the depth of the emotion and they understand its source.

We promised Quebec and the rest of Canada we would deliver change to them. We promised them this was not just lip service, but an actual desire, willingness and commitment to achieve change for lasting unity in Canada.

I contrast that to the actions of the third party, whose solution to this problem is to pit region against region, one part of Canada against another part of Canada, and whose view of this nation is one in which national standards are gutted so that the rich become richer and the poor are abandoned.

We in the Liberal Party believe in Canada, a Canada that includes our historic First Nations, the founding European people, both French and English, and the many who have come since who have added to the diversity of this great country.

• (1600)

We believe in a Canada in which its citizens collectively have accepted a social responsibility to maintain a social safety net, including health care, education, security for seniors and income support for the unemployed. Most of all, we believe in a Canada built on compassion and inclusion, not the hate and the division preached by some in this country.

Part of the action we are undertaking addresses one of the issues of foremost importance to Quebec. It recognizes that Quebec is a distinct society within Canada. It recognizes those items that make Quebec distinct: a French speaking majority, a unique culture, and a tradition of civil law. These distinctions

are not new. They do not exist at the expense of other parts of the country. It is time that Canada officially recognized this reality.

Our initiative to recognize Quebec's distinct society within Canada is part of our overall commitment to change. That includes the concepts in Bill C-110 which gives all of the regions of Canada, including Quebec, a veto in matters of constitutional change.

As a result of this bill, we will require the consent of Quebec, Ontario and the Atlantic and western regions before any constitutional amendments will be accepted by the Parliament of Canada. This will ensure that all provinces will be active participants in any evolution of the Canadian Constitution. It will protect the regions of Canada against amendments that could potentially diminish their powers, rights and privileges.

We are also introducing measures to give the provinces jurisdiction over training to eliminate program overlap and to give all provinces the flexibility they need to deliver training effectively. These are strong first steps toward refining our relationship with Quebec and building a stronger Canada. These are part of our commitment to Canada and to all Canadians.

We live in the greatest country in the world. All members and our constituents, we are Canada. What we do in the House affects all Canadians. Our goal is to preserve all that is great about Canada and to change that which needs to be changed. These are the reasons we will achieve lasting unity. By working together, by listening to each other, by honouring our commitment to change, we demonstrate our commitment to each other and to the country. That will be our legacy to future generations of Canadians.

I think we are on the right track. Members of the third party think we have gone too far. Members of the official opposition think we have not gone far enough. I believe both of these parties have not thought this through. They are fighting to gain control for their own self-serving purposes while our government is fighting for Canadians and for Canada. That is what is important now. Our actions speak louder than their words.

Several weeks ago I was on a bus that came from my riding of Parry Sound—Muskoka. It was filled with constituents who wanted to be at the giant national unity rally in Montreal to show Quebecers they were committed to a united Canada and to making change so that Canada works better for all of its citizens.

As parliamentarians, we are now charged with the responsibility and the privilege of following through with our promises, of living up to the faith and the trust that Quebecers and Canadians placed in our hands following the referendum. We will not let our country down. We will proceed logically and practically to build on Canada's strength to work for conciliation and to better the lives of all our citizens.

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These measures are both important and meaningful. What is more significant, they are achievable in the short term. We can simply recognize the reality that Quebec is a distinct society, that all regions of Canada want to have a say in constitutional change and we are doing that quickly and expeditiously.

The action can later be entrenched in our Constitution if we so desire, providing Quebec indicates its desire to do so. Granted, if the Leader of the Opposition becomes the next premier of Quebec he has already indicated that he certainly does not want Quebec's distinctiveness to be entered into the Constitution.

● (1605)

The member for Lac-Saint-Jean talks from both sides of his mouth, as they say. He demands change for Quebec but when it is offered, even before the details are known, he rejects not the proposal but the very fact that it is offered. He does not appear to care about trying to make Quebec a better place in which to live. He certainly does not care about Canada as he constantly ignores the oath he took when he came to this place as he tries to destroy this country. He cares only for power and his place in the sun.

I believe in my country. I believe in a united Canada from coast to coast. As proud Canadians, we will not soon forget the overwhelming show of support we saw for national unity across Canada leading up to the referendum in Quebec. We will not forget that historic moment on October 30 when Quebecers voted to remain in Canada.

I am very pleased to add my support to my government's pledge for lasting national unity. I am pleased we will achieve our goals quickly and that we will soon return to our task of building an economy in which jobs and growth occur.

I pledge my continued support for this great country, Canada. All of us in this place are here for what will be a blink in Canada's history. In that short time I have a sacred duty and an obligation to my children and my children's children not to let the forces attempting to destroy this country succeed. The people of Canada will stand united and the Government of Canada will ensure that together we remain one strong nation both proud and free.

[*Translation*]

**Mr. Nic Leblanc (Longueuil, BQ):** Mr. Speaker, the hon. member criticized our leader for saying he did not agree with the distinct society resolution proposed by the government and did not agree either with the veto proposal.

I think the hon. member failed to realize that the distinct society proposal does not give Quebec any power, any opportunity to be distinct.

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In fact, what we want is not a piece of paper that offers meaningless recognition of the distinct society concept. Our leader reminded the Prime Minister of this yesterday. So I think the hon. member did not quite grasp the purport of this offer.

First of all, it is not an offer that will be entrenched in the Constitution, and by the way, at the same time they are saying we have a veto. Today, they announced Quebec had a veto. However, they are giving the same veto to the other regions as well. If you give a veto to everyone, it is no longer a veto. It becomes meaningless, because the other regions could use their veto to block Quebec's legitimate demands.

I think this is a trap. They would have Quebecers believe that the government is responding to their aspirations by offering a veto and recognition as a distinct society. I hardly think Quebecers will fall for that.

I have this question for the hon. member. Did he realize what was involved or was his speech prepared by the Prime Minister's Privy Council Office or would he just have Quebecers believe they are not smart enough to understand what the government is offering us today?

[English]

**Mr. Mitchell:** Mr. Speaker, with all due respect to the hon. member, I will answer very plainly.

• (1610)

If the Bloc Quebecois really believes that Quebec is a distinct society, if it really believes that Quebec should have a veto, if it really believes in the decentralization and the turning over of manpower training to the provinces, then Bloc members can prove it very simply and very clearly: vote for the resolution, vote for Bill C-110 and do what they say.

When the hon. member talks as he just has, all he is doing is listing a series of excuses of why Bloc members will not do what they said all along they wanted to have happen. It is all political double-talk. If they want Quebec to be a distinct society, then they should vote for the resolution. If they want Quebec to have a veto, then they should vote for Bill C-110. If you want control over manpower training, then vote for Mr. Axworthy's reforms when he brings those forward. It is fairly straightforward.

**The Acting Speaker (Mr. Kilger):** Colleagues, I understand the member for Parry Sound—Muskoka has concluded his remarks. I will simply remind the House in two areas. In the one instance all interventions must be made through the Chair and not directly across the floor from one member to the other, and members should be referred to either by their riding or their portfolio.

**Mr. Jack Ramsay (Crowfoot, Ref.):** Mr. Speaker, I listened with interest to the comments made by my hon. colleague from Parry Sound—Muskoka.

When we look at Bill C-110 we are looking at nothing new. We have looked at this kind of approach to the unity question in Canada for the last number of years and it is a failure. If anyone questions the failure of this kind of approach as contained within Bill C-110, all we have to do is look across the floor every question period and see the evidence of that failure which sits 53 strong in this House. For years and years and years we have heard this same kind of approach and it has failed.

One of the most discouraging aspects about this bill is the process. At least two premiers have expressed vehement opposition to it. If the hon. member for Parry Sound—Muskoka believes it is just us Reformers who are trying to split factions and have factions fight against factions, let me quote from the front page of the *Globe and Mail*. Mr. Roger Gibbins, a political scientist at the University of Calgary, says: "This is little short of a constitutional coup d'état by the Prime Minister". Mr. Philip Resnick, a political scientist at the University of British Columbia, states: "The Prime Minister hasn't just got a Quebec crisis on his hands, he may also have an incipient revolt of the western provinces on his hands".

I would ask the hon. member to consider those comments. We are getting all sorts of comments like that from our western colleagues. Surely there must have been some lessons learned from the Charlottetown accord and the Meech Lake accord. Surely that top down approach in process alone spells doom and failure in terms of acceptance by the people of this country, particularly in the area where I am from.

I ask my hon. colleague if he would respectfully address those areas that we have to deal with in dealing with this bill.

**The Acting Speaker (Mr. Kilger):** I would simply ask the hon. member for Parry Sound—Muskoka for his co-operation for a brief response. When members are splitting their time, the time of five minutes for debate is very short. Therefore the questions must be put succinctly and we must hope that the responses are brief also.

**Mr. Mitchell:** Mr. Speaker, I will be brief but I will not be able to address everything the member raised.

This is a time in Canada when we need to put the nation first. It is possible to be regionalistic in an approach. It is possible to put the interests of our region first. However it is not appropriate in this case. In this case Canada has to come first. Canadians have to come first. That is what we ought to do.

• (1615)

This plan will work. These measures will work. There is a time when it might need to be constitutionalized, but we are not talking about the Constitution today. We do not want to get into a



long series of where we were in the late 1980s and the 1990s. We have an economy to deal with. We have jobs to create. Let us get this done. Let us do it quickly and do it in the interest of Canada.

[*Translation*]

**Mr. Stéphane Bergeron (Verchères, BQ):** Mr. Speaker, I welcome the opportunity today to speak to Bill C-110, which deals with the regional veto.

First, we can say that this year, which is now drawing to a close, was the year of the referendum on the future of Quebec. In fact, on October 30, nearly 94 per cent of registered voters exercised their right to vote. It was an exemplary and laudable exercise in democracy. In this referendum, 50.6 per cent of the population of Quebec said no to the sovereignty and partnership proposal of the Quebec government.

We accept the outcome, although the margin was very narrow, because we always said, unlike Jean Chrétien, that we would abide by the verdict—

**The Acting Speaker (Mr. Kilger):** I simply want to remind the House that members should always be referred to by their riding or their portfolio. In this case, the Prime Minister.

**Mr. Bergeron:** I stand corrected.

Unlike the Prime Minister, we always said we would abide by the decision of Quebecers.

Democracy is the very foundation of the sovereignist movement, which will be guided in the pursuit of its ideal by a respect for democratic values and principles, while abiding by the democratic decision made by the people of Quebec. Meanwhile, it behooves us to keep calm and pull together after this vote of historic importance, until our next rendezvous with history.

However, the extremely close results of the referendum should give the no side something to think about. The ball is now in the federalist court. They will have to move with those winds of change they claimed to feel, all of a sudden, during the latter part of the campaign when the yes side was ahead. But they must realize that after this referendum Quebecers will no longer be satisfied with merely cosmetic changes to outmoded and meaningless formulas or with vague and inconsistent administrative and legislative reforms.

The vote on October 30 clearly indicated the desire of Quebecers to be recognized for what they are, a people. To provide that recognition within the Canadian federal system, major constitutional changes will be necessary.

The question was, would the federal government be willing to make those changes and would it be supported by the provinces and the rest of Canada?

The howls of protest that went up in English Canada indicated it would probably never respond to the legitimate aspirations of

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Quebecers. As for the Prime Minister, considering his past record, he seems clearly incapable of keeping his promises.

Promises for change were hastily drafted by the federalist camp during the last days of the referendum campaign. These promises were not made in a flurry of enthusiasm; quite the contrary, they were motivated by fear that the yes side would win.

Last Monday, we saw the apotheosis of the panic operation that started during the last weeks of the referendum campaign. As soon as the Leader of the Opposition came on the scene to lead the yes side, the federalist forces realized there was a real possibility they would be defeated.

To prevent this from happening, the Prime Minister, in a last ditch effort, promised Quebecers that changes would be made in Canadian federalism if the no side won. It was the threat of defeat, nothing else, that forced the federal government to promise what it cannot deliver. That is obvious if we consider, in chronological order, the statements made by Prime Minister.

• (1620)

Given the speech made in early October in the Maritimes, in which he ridiculed the idea of enshrining Quebec's distinct nature in the Constitution, and given his stubborn opposition, until October 24, to any change in the federal structure, we can only conclude that the Prime Minister has an aversion to the issue of Quebec. In fact, the promises for change he made in the last week of the referendum campaign were vague, and no specific proposal was put forward at the time.

Remember what the Prime Minister said, on the evening of October 30: "For the second time in 15 years, we went through a difficult and emotional period. We must now contemplate innovative solutions, so as to never again go through such an existential crisis". Let us not forget that, even at the very end of the referendum campaign, the federal government did not have any concrete and innovative constitutional proposal to make to Quebecers. The government knew that it had to make some kind of an offer, but that was it.

The very narrow no side victory forced federalists to quickly make proposals to Quebec. The federal government hastily set up a cabinet committee to make such proposals. However, from the moment it was set up, it was clear that this was a phoney committee, with no real mandate and no real power. The same goes for the Quebec Liberal Party, which adopted a constitutional position, if you can call it that, only last weekend. Everything was done on the spur of the moment by people who are still unable to listen to and agree with the will of Quebecers.

The deafness of the federalist leaders became even more apparent on Monday, with the federal government's proposals. These proposals deal with three specific issues: manpower training, Quebec's distinct nature, and the granting of a regional veto. In the Prime Minister's mind, these proposals give con-

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crete expression to commitments made during the referendum campaign. But what do these proposals really mean? Nothing, absolutely nothing, because they will be entirely dependent on the mood of the government in office, since none of the proposals will be enshrined in the Canadian Constitution.

At best, these proposals will become trivial motions that are not binding on anyone. This is what the Liberal government opposite is intending for the concept of a distinct society. At most, they will be tabled and passed in the House like ordinary legislation, which may be revoked at any time by this government or by some future government. This is where the government wants to relegate manpower training and the right of veto.

What is really apparent in the November 27 proposals is the irreconcilability of Quebec's traditional claims with English Canada's position. We can see, in reading Bill C-110, that never before has the granting of a veto been so devoid of value. Let us be honest, this veto, which is apparently being offered to Quebecers is simply on loan, so long as Quebec does what the federal government wants.

To illustrate this, we have only to look at the present position of our colleagues in the Reform Party on the veto for the regions and recognition of Quebec as a distinct society. Reformers clearly see Quebec as just another province and therefore will never accept the concept of a distinct society, even if it were to mean nothing—which in fact it does. Obviously, the same applies to the veto for the regions, which to them means giving a sovereignist government a veto over Canada's future, at least that is what they claim.

The Leader of the Reform Party has already indicated he would revoke the veto of Quebec, Ontario and the other regions in Canada if he ever came to power. In saying so he reveals ever so clearly, even before it is enacted, the ridiculousness of the Prime Minister's proposal. Given that the veto proposed for Quebec would be granted only through ordinary legislation, the Reform Party, once in power, could simply repeal or amend it.

• (1625)

Paradoxically, the mechanisms that are supposed to prevent amendments to the Canadian Constitution without the consent of Quebec could be dropped just like that. In fact, since the veto powers of Quebec and the other Canadian regions are not entrenched in the Canadian Constitution, it will always be possible for a political party like the Reform Party, for instance, to deprive Quebec of its veto.

The same applies to the distinct society resolution. Here again, a future Reform Party government would have no compunction about revoking this simple resolution, thus abolishing a meaningless concept.

The bill before us today illustrates the authoritarian and paternalistic approach of the Canadian government, which is refusing to safeguard the interests of Quebec. All this reminds me of an old trick people use to play. They would take a wallet that was ostensibly full of money and put it on the ground, attached to a fairly thin thread that would be practically invisible to the potential victim. Then they would squat behind a bush and wait. As soon as the victim saw the wallet he would try to pick it up, but every time, the other person would jerk the thread and pull the wallet away. This could go on for some time until there was no more thread left to pull or the victim realized what was going on or simply gave up. In fact, until the victim gave up chasing after something he would never be able to get.

This is like the Prime Minister's constitutional promises. This week it was obvious that he wanted to give the impression there was a nice package for us on the table while in fact, he has the proverbial thread which he can use to take the package back, if he wants to.

Furthermore, and this is an important point, Bill C-110 gives the federal government considerable latitude when it must define what constitutes the consent of a province. Of course, this was all planned by the federal government, because it wants to keep the latitude it needs to test the veto granted to a region. There are at least seven ways for a province to signify its consent or refusal to Ottawa.

It could be a resolution of the legislative assembly, an order in council, an order signed by a provincial minister, an order signed by a province's lieutenant-governor, a provincial referendum organized by a province, a federal referendum in one or several provinces, or a vote by the federal members of a given province.

It could easily be imagined that the federal government could hold a referendum in Quebec to get the province's agreement, sidestepping the government democratically elected by the people of Quebec.

On the other hand, the federal plan to give a veto to the regions is already meeting strong opposition on the part of some English provinces. For instance, Alberta is against this principle because it believes that all provinces are equal and, as such, it cannot accept not to have its own veto.

British Columbia is also opposed to the idea of a regional veto since, under the present formula, it does not have one. Moreover, Mr. Harcourt, the province's premier, believes that British Columbia should have its own veto since, in his opinion, it is a region in itself. We can see that this right of veto—as pointed out recently by columnists, observers, and Quebec political analysts—, and the vague and insipid principle of a distinct society are far less than what Quebec has always asked for. Some even say that there is a long way to go before meeting Quebec's historical demands.

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• (1630)

I would even go so far as to say this is a real setback for Quebec. This is unacceptable. As soon as each region obtains a veto, and is therefore able to impact on the decisions of the federal government, this government is no longer in a position to entrench the principle of distinct society or the special veto for Quebec in the Constitution. The federal government will no longer be able to recognize these principles in the Canadian Constitution if the other regions obtain a veto on all federal actions and all constitutional amendments. The government therefore knows that it is guarding itself against any constitutional entrenchment of the very principles it is trying to sell us today.

At the individual level, on the subject of a veto for Quebec, there is evident dichotomy between public opinion in Quebec and in the rest of Canada.

A Gallup poll conducted November 8 to 13, where 1,005 persons were polled, showed that 66 per cent of Quebecers want Quebec to obtain a veto. On the other hand, only 10 p. 100 of the people polled in other provinces support that concept. In fact, 78 per cent of respondents in the prairies, 77 per cent in the Atlantic provinces, 70 per cent in British Columbia and 68 per cent in Ontario are opposed to it.

These data clearly show that, outside Quebec, the support for a Quebec veto is slight. This confirms that Quebec could easily lose its veto after a change of government at the federal level since any future federal government will certainly want to obtain the support of all Canadians and that will be at the expense of Quebec.

Finally, what can we say about this federal initiative launched in chaos and panic only a few weeks ago? As I have just said and explained, the Ottawa's proposals, meant to fulfil the promises the Prime Minister made to the Quebec people during the last referendum campaign, are nothing but smoke and mirrors. The truth is, we are facing a large scale camouflage operation whereby the federal government is trying, once again, to hide from the people the fact that it is unable to radically change the Canadian federal system.

Quebec has always had legitimate demands and aspirations within this system. But these demands and aspirations were never met. Realizing that, after the referendum on sovereignty, the demands would be higher than ever, the Canadian Prime Minister did not even try to find a solution to the problems plaguing the country he is heading. Instead he tried a bit of sleight of hand and gave us crumbs.

As I said, the Prime Minister is trying to put one over on us; he would have Quebecers believe that he is making a grand gesture towards Quebec, but what he does not say is that his grand gesture means absolutely nothing.

Not only is the Prime Minister's action totally meaningless, he is trying to make the population believe that he cannot do more in the area of pseudo-changes because the sovereignist government in Quebec would prevent him from going ahead with them in any case. For the federal government it is a way of blaming others for its problems.

The Prime Minister has taken great care to avoid saying that his proposal for amending the Canadian Constitution would meet with strong opposition, perhaps an even more so from some of the other Canadian provinces than from Quebec itself. Instead, he has blamed the sovereignist government, refusing to acknowledge—when the federal government is asking us to acknowledge the people's verdict—that the people of Quebec elected that government democratically and legitimately and—I would remind our colleagues opposite—they elected a majority of sovereignist members in this House as well.

Knowing that, how could we accept offers from the federal government that are so weak they are light years away from the Meech Lake accord and from Charlottetown proposals, which also meant nothing or next to nothing.

• (1635)

How could we accept something that is even less than what Robert Bourassa himself never accepted? How could we ever claim to have the moral and political authority to put ourselves in a position of extreme weakness relative to the rest of Canada?

No, the Bloc Québécois, which I am part of, will never agree to such a window dressing operation by the Canadian federal government. We will not be the accomplices of the Prime Minister of Canada in this senseless approach. The Bloc Québécois will therefore vote against this bill, because it means absolutely nothing for Quebec. It is a meaningless bill and, furthermore, it does not provide any guarantee for the future, any guarantee for Quebec.

**Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General of Canada, Lib.):** Mr. Speaker, I am very happy to see that the opposition is not necessarily ready to recognize the people's verdict of October 30, because the other day, as you know full well, members of the Liberal opposition in Quebec asked the Quebec government and its Premier to respect, and above all to recognize, that verdict.

I find it strange that the PQ government refuses to recognize the fact that Quebecers have chosen to remain within the Canadian federation.

Having said that, I still have a few questions for him. For Quebec, the motion as tabled, the resolution in question, is aimed at regaining a veto that was abandoned by the former PQ government, the 1981 government of which the hon. member for Mercier was a member. I find it strange that they do not want to regain this veto that the PQ government forsook in 1981.

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We are talking about change, about sincere change. The other day, opposition members accused us federal Liberals of dragging our feet. They said that they were still waiting. That the referendum was over. We have now come up with a serious proposal, which is obviously a step in the right direction, but I must tell you that, while we are in favour of enshrining this veto, and especially Quebec's distinct society, in the Canadian Constitution, we are asking the provinces to invite the Canadian Parliament to entrench this concept, this Quebec reality, in the Canadian Constitution.

That is why we are asking the opposition to do the same thing, because the Leader of the Opposition, as we know full well, supported the concept of Quebec's distinct society not so long ago. Unfortunately, they are not ready to do so, and that is why we made a formal commitment not to enshrine anything in the Canadian Constitution without the support and consent of Quebecers, and above all of their National Assembly.

I urge the hon. member of the opposition to pressure his leader, who will likely become Premier of Quebec, into making a public commitment today in the House of Commons to tell Quebecers that he, too, will recognize Quebec as a distinct society and ask Parliament to ensure that this principle is entrenched in the Canadian Constitution.

**Mr. Bergeron:** Mr. Speaker, I thank the hon. member for Bonaventure—Îles-de-la-Madeleine for his comments more than for his questions, since there were few questions in his comments.

I would say that we, of course, recognized the decision made by Quebecers on October 30, as evidenced by the fact that we are still sitting as members of this House and taking part in proceedings. We as Quebecers are still paying our taxes to this government and complying with federal laws and regulations. We therefore respect the decision made by the people of Quebec.

I would remind my esteemed colleague from Bonaventure—Îles-de-la-Madeleine that Quebecers simply rejected a proposal from the Quebec government. Their no vote does not mean that they are willing to accept just anything. Despite the claims made by our friends across the way, the no vote is no indication of Quebecers' attachment to Canada.

• (1640)

They simply rejected a proposal. That is all. One thing is for certain: by voting no, Quebecers did not indicate that they would be happy with any symbolic trifle like what the government is now trying to sell us. Accepting this kind of trifle does not imply a recognition of the decision made by Quebecers. Rather, it is the government that does not abide by their decision by trying to pull the wool over their eyes.

As for that famous right of veto, the government continues to try to fool us, to have Quebecers believe that at one time they had such a veto, that they could have used it but that the then premier of Quebec gave it up. The fact is that the Quebec premier of the time did not give up anything. The Supreme Court, that august assembly of Canadian judges, ruled that Quebec never had any veto. Therefore, we could not give up something we never had.

The government wants us to believe that this bill will re-introduce this vague notion of veto power, which never really existed, as confirmed by the Supreme Court. In order to be valid, that power would have to be enshrined in the Constitution. However, this is not what is proposed in the bill, quite the contrary. The bill ensures that neither the concept of distinct society, nor Quebec's veto power will ever be entrenched in the Constitution since the other Canadian provinces, or regions as they are now called by the federal government, could use their own veto to oppose the entrenchment of these two basic concepts.

The member opposite should know that, traditionally, constitutional negotiations have always carried high expectations but invariably produced very little. Now, the government would have us believe that, for the first time in history, in spite of the current political situation, these meagre and minimalist proposals will ultimately turn into big and beautiful things for Quebec and the rest of Canada. It goes without saying that no one believes that except, of course, the hon. member for Bonaventure—Îles-de-la-Madeleine.

As for the concept of distinct society, the hon. member should know that Quebecers have reached the point where they will definitely not settle for anything less than their recognition as a nation. Quebec is a nation and wants to be recognized as such, and not merely by a vague and meaningless motion in this House.

As for accepting the results of the October 30 referendum, the hon. member should know that we could never—as indicated by the current leader of the opposition and future Quebec premier—accept less than Meech, which was rejected, and Charlottetown, which Quebecers rejected. What is being proposed now is not even close to Meech, and not even remotely close to Charlottetown.

[English]

**Mr. John Harvard (Winnipeg St. James, Lib.):** Mr. Speaker, I shed a tear for truth. From time to time in the chamber truth comes under great strain and I think this is one of those times.

Earlier in his speech the hon. member for Verchères described himself and other separatists in the province of Quebec as victims. They live in Canada, one of the greatest countries in the world and he has the gall to say he is a victim. We have one of the greatest charters of rights and freedoms in the world and he says

he is a victim. He stands in the highest court in the land he spouts his separatism and his separatist complaints and he describes himself as a victim. Give me a break.

The member says that the ball is now in our court. Exactly and what is the Prime Minister doing? He made two specific promises in the referendum and he is acting on those promises right now.

The member says that Bill C-110 is a watered down approach. What was Meech Lake? Was it watered down? Was it acceptable to the separatists? No. What about Charlottetown? Was it watered down? Was it acceptable to the separatists in Quebec? I do not think so. Is there anything on the face of the earth that would be acceptable to the separatists in Quebec short of giving them a new country? The answer is no. He can answer the question, yes or no. If he wants to be honest he will say no.

• (1645)

[Translation]

**Mr. Bergeron:** Mr. Speaker, I thank the hon. member for Winnipeg St. James for his question.

First, the hon. member would certainly do well to reread my speech tomorrow in *Hansard*, for I never claimed that we were victims. Quebec has gone far beyond that in its historical development. Quebec is not a victim, it is simply a people.

I did say that the ball is now in the federalist court—I hope he is listening in the foyer—the ball is in the federalist court, but the federalists should not keep the ball to themselves.

That being said, I would like to get back to his statement that separatists, as he calls them, were in disagreement with the Meech Lake accord and with the Charlottetown accord. First, it has to be said that if he goes over the history of this again and if he tries to remember the events that led up to the Meech Lake accord, he will realize that there are people who are sovereignists today who, at the time, were in favour of Meech.

The Leader of the Opposition is a fitting example. He was in favour of the Meech Lake accord. The hon. Leader of the Opposition was in favour of Meech.

The Meech Lake accord, which represented the most minimal conditions Quebec had ever put forward, having been rejected, how could we, the sovereignists, accept less than Meech with the Charlottetown accord?

Of course, to answer the hon. member's question, all of the sovereignists were against Charlottetown.

**Mr. Gagliano:** Mr. Speaker, on a point of order.

**The Acting Speaker (Mr. Kilger):** Before I hear the hon. member on a point of order, I just want to say that the word

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“dignified” was used and I am very pleased to see how dignified this debate in the House of Commons is.

The hon. secretary of State on a point of order.

**Mr. Gagliano:** Mr. Speaker, I would like to ask, through the Chair, if there is unanimous consent to extend the sitting until 11 p.m. tonight, so that we can go on with this debate on Bill C-110.

**The Acting Speaker (Mr. Kilger):** Is there unanimous consent?

**Some hon. members:** No.

NOTICE OF TIME ALLOCATION MOTION

**Hon. Alfonso Gagliano (Secretary of State (Parliamentary Affairs) and Deputy Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it was not possible to reach an agreement pursuant to Standing Orders 78(1) and 78(2) with respect to the proceedings at second reading of Bill C-110, An Act respecting constitutional amendments.

Therefore, I give notice that, at the next sitting of the House, pursuant to Standing Order 78(3), I will be moving a time allocation motion for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage.

[English]

CONSIDERATION OF SECOND READING

**Hon. David Anderson (Minister of National Revenue, Lib.):** Mr. Speaker, the series of motions and the legislation before us today essentially come down to three items: the issue of the regional veto, the distinct society and attempts to further improve the economy of the country with more devolution and reorganization of economic activity between the provinces and the federal government.

This all must be considered in light of the fact that in approximately 18 months a meeting between the provinces and the federal government will be required to consider the 15th anniversary of the 1982 agreements with respect to amendment and that must be borne in mind at all times. As described by the Minister of Justice, this is a bridge to the meeting which will take place 18 months hence. Those who would like to have the motion, the resolution and the economic measures expanded to something greater should recognize that.

• (1650)

Some of the suggestions I have heard, particularly from the Reform Party, would take over a year to implement. There would have to be a full discussion, meetings and the whole long rigmarole which we remember from Charlottetown. It should be

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understood that this is not a substitute for the 1997 meeting which will be held between the provinces and the federal government.

The distinct society definition is quite limited. The wording has been very carefully chosen. It is that the House recognize that Quebec is a distinct society within Canada and that the House recognize that Quebec's distinct society includes its French speaking majority, its unique culture and its civil law tradition. These are important parts of the Canadian reality which are generally understood and accepted across the country. Wherever one may be in Canada it is well known that there are these three elements of Quebec society which distinguish that society from the societies of all other provinces and territories.

It is also important to recognize that Canada is not a homogeneous country. It is a country of many variations: regional variations, variations in its population, where it came from, how settlement has developed and how attitudes have developed. It is that diversity which we celebrate so often and which makes Canada one of the more unique countries of the world. It is an important part of the Canadian reality. It was that long before 1867.

We have to remember that diversity means there are differing needs and differing aspirations in the different regions of the country. Historically, provincial differences have dictated the need for different approaches. The British North America Act and the changes which were implemented in 1982 with the Constitution have made it perfectly clear that we have historically recognized those differences. If we go back beyond 1841 we will find that the differences within Canada have always been recognized in constitutional documents. It is one of the reasons so much of the country has been able to flourish. It is the reason for which we are the envy of the world.

Acknowledging Quebec as a distinct society is part of something perfectly logical and natural. It is not something which is being forced on any part of the country. It is a recognition of differences of which we have all known since our first days as Canadians. It is part of the evolution of Canada to recognize that distinctiveness and to make the accommodations which the bill and the resolution put forward. It is also a recognition of the affection and considerable pride which Canadians have in Quebec, which we saw in the few days before the referendum vote.

I would like to speak about the veto. These changes have not come completely out of the blue. They have been discussed before. Veto provisions were discussed at the time of the Victoria charter in 1971. Vetoes have been discussed at many constitutional conferences, in the press and elsewhere. In no way is this some sudden imposition of a formula which has been devised. It is a responsible recognition that over that long period of time certain basic understandings of the nature of the country have become evident with respect to the Constitution and the veto, particularly with respect to the 1982 changes.

• (1655)

Again I would stress that the current formulae for changing the Constitution are in four categories. You have some changes which would require the federal government and all the provinces before there could be a change. Others affect only a single province and the federal or perhaps even single provinces themselves and their neighbour. In addition you have this category which is the seven provinces and 50 per cent of the population.

All that is being put forward is that the federal government is limiting itself by legislation in the manner in which it will exercise the federal veto. It is not a constitutional change and that should be recognized. It is not a question of embarking on some great adventure as has been attempted by previous governments with Meech and Charlottetown where there were many things incorporated as well as the issue of the veto.

I will turn to the veto with respect to western Canada and in particular with respect to British Columbia, my home province. At the present time for British Columbia to succeed it would have to impose a veto on constitutional change under the seven and fifty formula. It would have to have the support of three of the smaller provinces, so there would be four provinces opposing. In other words, the seven provinces requirement would not be met. Or else British Columbia would have to go in with one of the bigger provinces and thus, get 50 per cent of the population opposing.

The present proposal which does not change the Constitution is that if British Columbia opposed a constitutional change and it got one of the three western provinces to agree with it, then the federal government would not proceed with the constitutional change. Thus there is the so-called veto. The veto remains with the federal government but it would be exercised in that way. That is very important.

There is a substantial change proposed with respect to the powers of British Columbia on the veto. That is why I thought it appropriate that the headline in the newspaper pointed out that B.C. and Quebec were getting changes and the two provinces were listed side by side.

Second, when British Columbia gets to the position of having 50 per cent of the population of western Canada, then of course it will essentially have the veto of its own in the same manner as Quebec and Ontario.

At the present time British Columbia is about one-third the size of Ontario and about one-half the size of Quebec. In the not too distant future, because currently British Columbia has a about 44 per cent of the population of western Canada, it will reach 50 per cent; when, I do not know. All I know is that over the last 15 years British Columbia has dramatically expanded with an increase in population of something approaching 29 per cent. It is important to recognize that there has been substantial gains and this trajectory, this trend is likely to continue.

I turn to the point that this will somehow prevent future constitutional change because there will always be provinces which will oppose it. Obviously we will never get constitutional

change, for example, with respect to the Senate. I do not think we should sell future generations of Canadians so short. They will be capable of making intelligent decisions, just as we have been, just as our forefathers and mothers and all past generations have been.

Why do we have to suggest that they will be unable to handle the matter of constitutional change to take care of the differences that I spoke about at the outset of my speech in an acceptable manner? Obviously they will be able to do that and we should trust them to be able to do that.

Mr. Speaker, I am sharing my time with the hon. Minister of Indian Affairs and Northern Development.

This is a responsible package which will help hold us as a country together and allow that diversity and development and ability to continue to remain the world's leading country in the future.

We want a united Canada in British Columbia. We are willing to recognize that there have to be some trade-offs. Not everybody can get everything all the time. There has to be some recognition that to keep Canada going we cannot simply be a people who say no to everything.

• (1700)

When we have a whole country to govern there must be trade-offs. This country we are trying to govern happens to be the best country in the world. I think it is well worthwhile to make the trade-offs to keep it together and that is what this package is all about.

**The Acting Speaker (Mr. Kilger):** Before proceeding to the five minute question allocation to the hon. minister, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Jonquière, Committee chaired by Minister of Intergovernmental Affairs; the hon. member for Parry Sound—Muskoka, Confederation Life Insurance Company.

[*Translation*]

**Mr. Nic Leblanc (Longueuil, BQ):** Mr. Speaker, according to the minister of National Revenue, the veto will improve the Canadian economy and, since Canada has a highly diversified make-up, this diversity will also help to improve the Canadian economy. He never mentioned that the most important aspect of this diversity is that Canada is made up of two nations. They never say this. He did not mention it.

He also said that Canada is the best country in the world, that we are the envy of the world. I find it strange to still hear that today when Canada has an 11 per cent unemployment rate and

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when there are more people on welfare in Quebec than at any other time in the history of our country. This is beginning to sound strange.

He also said that the veto will help to amend the Constitution. I find that strange and utterly unacceptable since the more vetoes there are, the less the chance we have to amend the Constitution. To me, what the government is proposing and what the minister is saying all boil down to the fact that these numerous vetoes will mean that it will be impossible to amend the Constitution. It is as simple as that. This a trap that the federal government is setting for the Quebec government because, with this veto, it will be impossible to amend the Constitution.

Would the minister please tell me how these vetoes will make it easier to amend the Constitution? As you know, it is quite the opposite. I would like him to prove that.

[*English*]

**Mr. Anderson:** Mr. Speaker, the first point made was that somehow the veto was linked to the economy. Let me put it this way. The economy will benefit dramatically from getting the wrangling of constitutional issues such as the referendum and separation out of the way. The economy will improve when we deal with these measures here in the House quickly and get back to the real agenda for all Canadians, whether they live in Quebec, Ontario, British Columbia or any other province. We must get the economy back in shape, get interest rates down and get the unemployed that the member's party has never linked before to the issue of constitutional development. Fortunately you now have and I think it is about time that you recognized the linkage between the—

**The Acting Speaker (Mr. Kilger):** I remind hon. members to make their interventions through the Chair. Sometimes it can be very helpful.

**Mr. Anderson:** Mr. Speaker, you will note that the hon. member for the first time is linking these constitutional issues with unemployment. It is about time the Bloc recognized that because it is very important.

The member goes on to say that there can be no change and vetoes will be there. Vetoes provinciate, he is right. Does he regret that we are giving or establishing a veto for Quebec so that the constant refrain that Quebec will be forced to accept changes from other parts of Canada will suddenly disappear as a complaint, a whine, a constant background noise that we hear from the Bloc Québécois? Maybe that is the Bloc's concern. The issue is that if there are major changes the regions of the country, Quebec, Ontario, the maritimes, the west, or British Columbia do not want, then there is no point in proceeding with the changes because they are unacceptable to the overall.

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• (1705)

Let us not get entirely hooked up on the issue of constitutional change. These are not constitutional measures. It is an example of the ingenuity of Canadians. It is an example of the ingenuity of the Prime Minister in overcoming problems without necessarily going back to the Constitution. If in the future people would like to see changes, administrative arrangements that would improve the system of government of Canada, I will bet that future generations of Canadians will be just as good as we are at arranging them outside as well as inside the Constitution.

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, it is a privilege to stand here today to enter this debate. As Minister of Indian Affairs and Northern Development, I will start by repeating what the Prime Minister said yesterday vis-à-vis aboriginal people:

As it concerns the aboriginal people of Canada, my government is clearly on record as respecting their aspirations. We recognize the unique legal position of aboriginal people, including the protection of aboriginal and treaty rights in the Canadian Constitution and the inherent right of self-government.

What does that mean? It means we must listen, and I address the separatists, when Grand Chief Matthew Coon-Come of the Cree says that ideological separatists will not treat them like cattle, moving them from one territory to the other. We must listen when the Inuit vote 95 per cent no and when the Crees vote 96.3 per cent no, and when the Montagnais vote 99 per cent no. We will listen.

The Prime Minister has proposed that Quebec be a distinct society. He has proposed that we will make no constitutional change that affects Quebec without consent and he has delivered. I want to be here when the leader of the Bloc stands up and does not support this because it tells me his agenda is simple separation. It tells me that when he looks out his window to look at the French fact in Canada, the only thing he sees is his own reflection.

Maybe I am losing it. I sit here day after day and see the hon. member for Bourassa who is from Chile. He is a political refugee who has come to this country. Oddly enough, this country Canada is an Iroquois name that means the village. Quebec is a Micmac name which means where the water overflows. The hon. member for Bourassa sits here and he debates and thinks in a British institution whether he should be called by a Mohawk name or an Iroquois name, while taxpayers pay his salary. If he thinks long enough and gets re-elected he will get a pension. Only in this country Canada would we be that tolerant. What a democracy, but that is a fact.

Oddly enough, 15 years ago I gave my maiden speech in the House. I was sitting over there. The maiden speech is a member's most important speech. You come with your life experience and you want to say what is important to you. My maiden speech was about the French Canadian fact in Canada, their

contribution to the national character of the country. I had come off the CRTC where I sat with Rhéal Therrien, the vice-chairman then. He would say to me a country is not a piece of paper; it is a frame of mind.

It was so important to me to get my life experience on the record. As the member of Parliament for Sault Ste. Marie I spoke about the French Canadian fact in Canada. I spoke about the importance of biculturalism and multiculturalism. To that I would add the culture and the aspirations of the First Nations people of this country.

You see me every day fighting for aboriginal rights, but I fought just as hard for French Canadian rights because I come from a part of the country with 700,000 franco-Ontarians. You do not want to even seem to acknowledge that there are places—

**The Acting Speaker (Mr. Kilger):** Order.

**Mr. Irwin:** The Bloc does not want to even acknowledge that there are places like Dubreuilville, Chapleau, Timmins and Sudbury in Ontario where there are 700,000 francophones. What will happen to them? The Bloc does not care.

• (1710)

We have lived with these people for generations. They are our family. They are our neighbours. We share our schools with them. Bloc members do not care. I am convinced of that. They do not care about the Acadians. They do not care about the franco-Manitobans. They only care about their agenda.

Members of the Bloc talk about Cartier, Champlain and LaSalle. These are Canadian heroes and they are as important to my history as they are to any separatist. The Guy Lafleurs and the Cardinal Légers and the giant French Canadian community in industry and science and on the international stage. I remember them.

I remind the separatists that except for a few months, in 25 years, in a quarter of a century of leading this country, all of the Prime Ministers have been from Quebec. I remind the Bloc that we are the party of Laurier who cared about French Canadians in Quebec, who cared about French Canadians outside Quebec, who cared about Canada on the world stage. If Laurier were looking down today at the leader of the Bloc, he would weep.

I cannot say much more for the Reform members who thought Meech was too extensive. They opposed Charlottetown because it was too extensive. Today, I heard they cannot support this because it is a single page. I saw the way they voted on the aboriginal issues. I see how they treat the francophones here.

I was shocked when the Reform Party that wants us to sing "O Canada" in this House said that 50 per cent plus one on a faulty, fraudulent question divides and destroys this country. This generous, historical piece of property on this planet, and Reformers would destroy it with 50 per cent plus one. I used to find



the Reform interesting. I now think the Reform is dangerous if that is the philosophy its members are spreading across the country.

I do not know how I can convince the Bloc members. What they are destroying is the spirit of the French Canadians. These are the people who were at the foothills of the Rockies, who explored Hudson's Bay, who opened up the Mississippi.

I returned from Williams Lake, Alberta the day before yesterday. North of Williams Lake is the town of Quesnel, British Columbia. I just happened to be there. I remember this point from 15 years ago. Maybe it was part of the point I was going to speak on today. Who knows how the creator works. Fraser is the explorer who found the mighty Fraser. He got it named. He had a better publicist but those people, all nine of them, who paddled his canoe were French Canadians and the aboriginal people in that area showed him the way.

That is my Canada. That is my concept of who we are. It has been 15 years that I have been prepared to fight in my area of northern Ontario for the aspirations of francophone minorities until the very day I die. I am prepared to stay here and reaffirm my commitment.

When I vote on the resolution next week, I will not be doing it with timidity. I will not be doing it as the leader of the separatists say, because it is politically expedient. I will do it with pride because I believe it is important to my country.

There were 150,000 people who came to the Montreal rally. There were French Canadian federalists there. It is a misconception when we say that the people in Quebec are separatists. There are staunch French Canadian federalists in Quebec and they were at that rally, but we were there together. Why? To say that we love this country.

The leader of the separatist party mocks that love. He mocks it. He tries to destroy former Prime Minister Trudeau by mocking him. He tries every day by mockery to destroy our present Prime Minister. If Louis St. Laurent or Laurier were here today, the separatists would do the same thing. I see it every day. That is their agenda.

• (1715)

In my city of Sault Ste. Marie we had 2,000 steelworkers show up at an opening on a Friday or a Saturday. There were two days that went together. They took their hats off when we were singing the national anthem. It was amazing. I have never seen that. It was cold. The next day 1,000 people showed up in Sault Ste. Marie. They raised Canadian flags and Quebec flags. I looked down and saw young people there saying "We love you, we want you to stay". It was the first meeting for these little kids, and they looked at me and said "Do not destroy this country". That is my Canada.

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The Haida people of B.C. have a creed. They say "We do not inherit this land from our ancestors, we borrow it from our children". That should be our creed.

My forefathers came from Italy and Ireland. They were very poor. From the Irish I learned that we have to pay something back. I am the fourth politician in my family. My grandfather Alfred was a councilor; my uncle Tom was a mayor; my uncle Fred was a councilor; I was a mayor. They said "You must pay something back".

From the Italian side, my grandmother, without even knowing the language, had to go from Rome by train, then by boat to Halifax all the way up to Sault Ste. Marie to meet my grandfather. She could not speak the language. She had eight kids. If she could be here and see today that her grandson is a member of Parliament she would be so proud. She taught me that this country is the best country in the world. It is.

I do not know if there is an afterlife. I hope there is. If there is, I am sure that Laurier, my grandmother, and my grandfather are up there saying "Go for it". That is what we should be doing.

[*Translation*]

**Mr. Nic Leblanc (Longueuil, BQ):** Mr. Speaker, I just want to comment briefly on what the Minister of Indian Affairs said.

First of all, there is something I do not understand although I have been here in Ottawa for a number of years. Why is the federal government using aboriginal peoples in many cases to discredit Quebecers? Perhaps he will admit it today, since only yesterday, his deputy minister admitted they would have to give aboriginal people in Quebec financial compensation for voting no.

I also remember that a few years ago, they used aboriginal people to file claims in New York to prevent the Great Whale project from going ahead.

It is rather amazing to see the minister stroking aboriginal people today and trying to tell Quebecers that he loves them and wants to promote economic and social development, when meanwhile, the same minister is using aboriginal people to prevent Quebec from developing its hydro potential, for instance. Those are a few examples.

Of course, it is not easy to prove all that, but anyone who is the least bit intelligent and has an interest in economic development and politics is aware of this, and Quebecers are very much so. Aboriginal people were consistently used to obstruct megaprojects in Quebec, probably to promote other sources of energy like uranium or western oil. This is atrocious.

If the Minister of Indian Affairs thinks we can trust him, he is wrong. We have seen too much evidence to the contrary, and Quebecers are not easily fooled.

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He referred to the people in Sault Ste. Marie, and I agree with what he said and I want to thank them. I suppose they wanted to apologize for what they did two or three years ago, when they trampled Quebec's flag. I imagine he remembers that. Of course these people wanted to apologize, and I understand that and appreciate it. We remember very well what happened. It was on all the TV channels. The people of Sault Ste. Marie trampled the Quebec flag two or three years ago. Today, they want to apologize. We are pleased that they did, and we appreciate the gesture. But people should stop trying to fool us.

• (1720)

[English]

**Mr. Irwin:** Mr. Speaker, I would ask the hon. member to read my speeches and look at my record. I would not be here in the Prime Minister's cabinet if I in any way felt the way this member says I do.

Why are they worried about the separatists in Quebec? It is because you have a premier talking about "the ethnics". You have a vice-premier, and you know what he did. You have a member in the Quebec legislature who calls the aboriginal people gypsies. You have Max Gros-Louis, chief of the Hurons, who is saying the separatists are racist.

The separatists are living a lie. They say that Canada is divisible but not Quebec. That is a lie. There is such a thing as the 1898 line. There is such a thing as territorial integrity. There is such a thing as Cree territory, Mohawk territory, Abenakis territory, Micmac territory. Every time the separatists put that lie out, this minister is going to repeat what I said in Quebec at every house, at the UN and at Geneva.

**The Acting Speaker (Mr. Kilger):** Having passed the five hours of debate, we now go to the next stage of debate, which is ten minutes without questions or comments.

If I might ask the House for its co-operation, it is 5.23 p.m. and the hon. member for Calgary Southeast would be given a full ten minutes. I would not see the clock at 5.30 p.m. until three minutes past, so she would have her full ten minutes.

**Some hon. members:** Agreed.

**Mrs. Jan Brown (Calgary Southeast, Ref.):** Mr. Speaker, I appreciate the consent of the House on that suggestion.

The last thing I heard last night before I went to sleep was Jason Moscovitz on "The National" talking about the dreariness of this debate and how we were again looking at the discussion that had come up during Meech and the Charlottetown accord. There was a dreariness in all of this discussion because the House was mostly empty, the galleries were devoid of people, and there was no one around with any passion or enthusiasm to talk about the matter of Canada.

When I woke up this morning I thought I wanted to capture some of that in what I have to say today because I think it is important we remember what brought us here. I thought I would like to direct my comments from where I sit. Where I sit in the House of Commons is a very special place for me, because I have watched for two years the House of Commons work together, pull together when we needed to and have debates that were reasoned.

Over time something has happened. Now we have this rancorous, bitter exchange across the floor of the House of Commons. I wondered about that as I reflected on the throne speech of January 1994. I recall what the leader of the official opposition said that day about his responsibility as an opposition party: "We intend to take these responsibilities seriously and we will do so loyally, correctly, and with due resolve. We know that is what Quebecers expect us to do, and they would never forgive us if we deviated from this path".

Although that was a very tough foreshadowing of this debate today, I believe that what the hon. Leader of the Opposition was saying that day was that he wanted to work within a democratic environment for the good of his constituents and for the rest of Canada. His vision was one we should never forget to respect, because his vision is his own vision, as the Prime Minister's vision is his vision and the leadership of our party carries our vision.

None of us respects that. We have forgotten that we should co-operate and that our professional lives are within these walls. The rhetoric we hurl across the floor has become meaningless. No wonder everyone feels so embittered.

On that day the Prime Minister said: "By working co-operatively to create economic opportunity, by restoring common sense to our public finances, by rebuilding a sense of integrity in government, and by pursuing a positive and innovative agenda for our society, my ministers are convinced that Canadian unity will be preserved and enhanced". Where have we come from that day to today, when we are talking about constitutional amendments, constitutional veto, distinct society? He made a promise to Canadians two years ago that it would not be that way in the House of Commons.

Our leader, prior to the election, said on October 12, 1993: "I personally believe that the Canadian people have the capacity and the desire to define not only what this election should be about, but what kind of Canada they want for themselves and for their children for the 21st century. In other words, I believe it is possible for a new vision of Canada itself to emerge from the bottom up if we begin to truly let the people speak their hearts and minds".

We came here as a different party with a different vision. We never were told that the difference was a good thing; we were always told it was bad. No one could define that difference in terms of a new idea, a new vision, a different way of looking at this country. We were always told we were bad. We were poor performers in the House of Commons. The press gallery said that our ideas were poor. How could a bunch of hayseeds or rednecks from the west ever have a good idea to put forward? It was our vision and it should have been respected in that context, but it never was. Part of the reason it never was is why we are here today debating constitutional matters and distinct society.

I ask all members to remember why we are here. Our constituents sent us here. We have forgotten about that representation. We are not simply preparing for an election in 1997; we are renewing and retooling Canada for 2050. That is something we absolutely must not lose sight of in this debate, that we are retooling our vision for this country for the next millennium, for our children and for their children. We are really leaving them with one hell of a mess. Excuse my language.

The issue of unity does not reside in a unity committee, a small committee with a small number of people who have small ideas. Those ideas are going to capture the hearts and minds of the country if they go out to the people. It is the people of the country who are going to make the difference. They are the ones who drive the engine and the heart of Canada. We can sit here and debate this issue until we are all white with exhaustion and fatigue and we can be embittered. But I believe we have a country worth working together for.

It must be that westerners understand there is an opportunity to become involved in a debate, but so too must Quebecers and easterners recognize there is an opportunity for us all to debate. It should be taken out of the House of Commons and placed into the hands of the people of Canada.

Eugene Forsey wrote in his memoirs: "I have faith that Canadians, both English-speaking and French-speaking—would be able to face the future united—'One equal temper of heroic hearts/—strong in will/ To strive, to seek, to find, and not to yield'". That is what we must do in the House. The bitter rhetoric we hear every day must give way at some point to argument that is reasoned, to ideas that are new, to a vision that will take us into the next millennium. My fear is that we are not moving in a direction whereby we are recognizing one another as colleagues and as Canadians.

The hon. member of the official opposition has become a very embittered politician. I have seen that over two years and from where I sit it is sad to see.

The Prime Minister, this man who had the hopes, hearts and tremendous support of Canadian people, has become shrivelled in his ideas, in his demeanour and in his approach to the country. We are back to this dreary Meech and Charlottetown debate.

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I am not saying that the Reform Party has all the answers, but until we start talking together as Canadians even the best of visions will have no place to go but in its own entrenched little part of a balkanized country. It is my hope and prayer that will not happen.

I cannot support the bill because it would concentrate the power in the hands of governments and not of Canadians. I remember why I was put here by my electors in Calgary Southeast. It was to carry their hopes, their dreams and their visions for a Canada into the third millennium.

**The Acting Speaker (Mr. Kilger):** It being 5.30 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### PROTECTION OF PERSONAL INFORMATION OBTAINED BY CERTAIN CORPORATIONS ACT

The House resumed from October 26 consideration of the motion that Bill C-315, an act to complement the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves obtained by certain corporations, be read the second time and referred to a committee.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, it is a pleasure to speak in the House tonight on an issue of grave importance, the protection of personal information. I am pleased to participate in the debate on Bill C-315, an act that will help to protect the privacy of Canadians. Since Bill C-315 was last in the House much has happened on the issue. Several groups have called for federal government action to protect the personal information of Canadians.

First, the Canadian Standards Association has expanded on its voluntary privacy codes and its desire for implementation of those codes.

Second, the Public Interest Advocacy Centre based in Ottawa released a document entitled "Surveying Boundaries: Canadians and their Personal Information".

Third, the Information Advisory Council established by the Minister of Industry continues to push for recognition of its privacy recommendations.

The protection of personal information is a serious concern for all Canadians. If we do not begin to address the unauthorized collection and exchange of personal information about unsuspecting Canadians now, we may not be able to stop it at all in the future.

Bill C-315 gives us the opportunity to counter the invasion of personal privacy before it gets out of control. New technology

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and universal access to the Internet have accelerated the problem and immediate government action is critical.

I quote from *The Economist*:

Individually, most new technologies are introduced for perfectly benign motives. Their cumulative effect, however, is to cast a shadow over personal privacy. It is really acceptable for most of your actions, even the most mundane, to be recorded and then sold to the highest bidder? Most people take their privacy for granted but are outraged when it is breached.

The growth of computer technology makes tasks easier for Canadians, but at what cost? I am very concerned that Canadians have their privacy compromised every day without their knowledge. Companies routinely collect information about them every time they use a credit card, buy something over the phone or subscribe to a magazine.

An Industry Canada paper released in October 1994 stated:

While each technology brings different capabilities, they all contribute to a completely unprecedented capacity for the surveillance of every man, woman and child, whether as a customer, student, employee, patient, taxpayer, or recipient of government services. It is this growing trend for information systems to place limits on our freedom, on our life's potential, that privacy advocates and science fiction writers alike find utterly chilling.

• (1735)

What will Bill C-315 do? It tries to curb the collection and exchange of personal information. This could include names and phone numbers, business addresses and phone numbers, any identifiable physical characteristic, religion, national or ethnic origin, age or other information about education or financial history. The information is recorded in many ways: electronically such as on a floppy or hard disk, manually on paper or microfilm, or virtually such as in computer memory or an electronic network.

Bill C-315 would require all companies covered by the Canada Labour Code to abide by some very strict privacy protection guidelines. Before selling any list containing an individual's personal information, the person would be sent a notice that, first, personal information about the individual as listed in the notice is held by the company; second, permission is needed to keep the person's name on the list; and, third, the person shall be told his or her name can be removed at any time at no cost.

In addition, any corporation using a purchased list shall send to everyone on the list a notice containing the source of the information, a description of the information held and a statement outlining how individuals can have their information removed. Companies receiving a removal request must comply within 10 days and confirm with the individuals that their requests have been acted on.

Non-compliance will result in a summary conviction. For a first offence a company or individual would face a fine of up to \$5,000. A repeat offence could double the maximum fine to \$10,000. Charges would have to be laid within one year of the offence.

The member for Cariboo—Chilcotin who introduced the bill would be amenable to increasing the sentences if the industry committee studying the bill believed that they are too weak. It might also look at strengthening the bill to prevent the rental of information lists.

In September the Canadian Standards Association released a set of privacy codes after wide consultation with several agencies and associations. It sought to develop its code at a time when there was growing debate about the range of innovative approaches to the protection of personal data on the information highway.

There is one big problem with the code. Adherence is strictly voluntary. While the code may be good, it is merely a band-aid solution and has no teeth to protect consumers from greedy companies with no regard for their personal privacy. By the association's own admission none of the codes has any explicit statutory force in contrast with the privacy codes developed under the mandate of legislation and the oversight of a data protection agency.

In addition, the association also admits that ultimately the success of the CSA model code will depend on the various incentives that might operate to encourage registration. Several are noted and discussed: moral suasion, the desire to avoid adverse publicity and the use of the privacy standard for competitive advantage.

Is this realistic? Companies that profit from a \$300 million a year industry will hardly be overcome with moral suasion or a concern about adverse publicity. While the CSA code may convince some organizations to operate more responsibly, most organizations will only use it when it is convenient for them or if they must comply.

The CSA notes that in New Zealand and the Netherlands where privacy codes have been complemented by statutory regulation, there is more effective protection of their citizens. In Canada combining the CSA's code with the legislative teeth of Bill C-315 will provide consumers with real privacy protection.

The Public Interest Advocacy Centre is a non-profit group that is also focused on the protection of personal information. In a recent paper it investigated whether there is a problem. It found that 76 per cent of Canadians believe they have less control over their personal information than they did 10 years ago; 95 per cent of Canadians want to be informed about collection processes and about the uses to which their personal information may be put; 94 per cent insist permission be sought

and given before any information is passed on to another organization; and 86 per cent want to understand how new technology can affect their personal privacy. It is clear from the research done by the organization that Canadians are very concerned about their privacy.

• (1740)

Bill C-315 would establish statutory protection without the requirement for any new taxes. It is the missing link advocates are calling for. The member for Cariboo—Chilcotin has assured me he would support changes the industry committee might suggest when it examines the bill. We must act soon. Every day we dawdle, more personal information about private citizens will be collected and sold.

I conclude with a quote from a book called “A Consumer’s Survival Guide to a Cashless World”:

As consumers we often feel powerless to change the status quo, but public pressure can succeed when enough people get excited about practices they feel to be wrong or unfair. The only way it will change is for us as consumers and citizens to demand fuller disclosure, stronger privacy protections and better security procedures.

We can wait no longer. Consumers and citizens want and need to see changes to the rules that protect personal information. Bill C-315 is an answer to a concern that each and every member of Parliament shares with his or her constituents. I urge the House to support the bill so we can begin to protect the personal privacy of all Canadians.

**Mr. John Harvard (Winnipeg St. James, Lib.):** Mr. Speaker, when Bill C-315 was first debated in the House in the month of October I must say I was impressed with the information the hon. member brought to us in support of the proposed bill. I understand the original complaint brought to the hon. member for Cariboo—Chilcotin was from an individual who found himself on the mailing list for pornographic materials and was unable to stop the material from arriving. While this may not be the most damaging type of abuse of personal information, many Canadians would agree it is one of the most annoying and can leave people feeling helpless and frustrated.

The bill the hon. member has put forward, however, would do nothing to stop this kind of privacy invasion. While I share the concerns expressed by the Reform Party about this kind of abuse, if Parliament is to intervene with new legislation, we had better be sure we are doing something which actually fixes the problem.

Here are some of the flaws in Bill C-315. First, it would apply only to corporations. Many operators who do this kind of thing are individuals or small partnerships and would not be covered by the legislation.

Second, it applies only to the narrow range of corporations engaging in a federally regulated activity. This would include

those in the banking, telecommunications and broadcast industries but not small entrepreneurs.

Third, it does nothing to solve the problem of operators setting up outside our jurisdiction, such as across the U.S. border.

Fourth, it addresses only the issue of people’s names appearing on lists or nominative lists, as the practice is referred to in the Quebec privacy legislation that covers the private sector.

Technologies are changing and developing quickly these days. Information is being collected and messaged in new and different ways. It may soon be out of date to talk about lists because information travels easily and is gathered automatically. It is no longer necessary to hand someone a computer tape to trade information.

In addressing the protection of personal privacy we ought to talk about the use of personal information in the broadest possible ways. The rules we come up with should address every sector of the economy, not only the direct marketing industry.

Instead of working on the bill we should support the work that has been ongoing for several years at the Canadian Standards Association, the CSA. The consensus committee passed a model privacy code in September of this year, the result of three years of work in a committee with representation of industry, consumers and federal and provincial governments.

This code of fair information practices is soon to be published as a national standard for Canada. This initiative has the support of a broad range of private sector organizations including the Canadian Direct Marketing Association.

• (1745)

On October 3 of this year the president of the Canadian Direct Marketing Association called on the Minister of Industry to introduce legislation in the House that would use the CSA standard as the basis for legislation federally and to encourage the provinces of Canada to do the same in their jurisdictions.

I understand that the issue is being studied by the departments of industry and justice with a view to developing solutions that will work for the protection of personal information in all sectors of the economy and across the country. This is a huge and complex issue because the increasing availability and use of personal information and consumer profiles to target service delivery affects virtually every sector of the economy in some way or the other.

The protection of personal privacy was identified as a key priority early in 1994 when my colleague, the Minister of Industry, established the Information Highway Advisory Council to advise him how to make the most of the new possibilities brought to us by the communication networks. The council

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studied the issue, consulted experts and produced a number of recommendations on privacy.

First, the federal government should act to ensure privacy protection on the information highway. This protection shall embody all principles of fair information practices contained in the Canadian Standards Association draft model code for the protection of personal information. To this end, the federal government should continue to participate in the development and implementation of effective national voluntary standards based on this model code.

Second, the federal government must take leadership in the implementation of these principles through the following actions: in co-operation with other levels of government that share responsibility for various sectors of activity on the information highway, it should establish a federal-provincial-territorial working group to implement the privacy principles in all jurisdictions.

It should create a level playing field for the protection of personal information on the information highway by developing and implementing a flexible legislative framework for both public and private sectors. Legislation would require sectors or organizations to meet the standard of the CSA model code, while allowing the flexibility to determine how they will refine their own codes.

In co-operation with the CSA working group on privacy, and other interested parties, it should study the development of effective oversight and enforcement mechanisms; establish a working group to co-ordinate the development, demonstration and application of privacy enhancing technologies for the provision of government services and information; update and harmonize appropriate privacy protection policies, legislation and guidelines applicable to its own operations and to the delivery of government services and information.

Third, Industry Canada should establish a working group that includes representation from the private, provincial and federal governments and consumer organizations for the purpose of increasing public awareness and understanding about privacy issues and personal privacy rights through the preparation and dissemination of educational materials and encourage the CSA to advance its privacy standard in international standards fora.

There are several other recommendations on encryption, educational and health records but I will not take up more time to read them. As members can plainly see, this is already a tall order that the advisory council for the information highway has presented to my colleague, the hon. Minister of Industry. I know the Department of Industry is engaged in discussions with other departments involved in the privacy issue, notably the Department of Justice.

This is a complex issue. Serious work has already been undertaken by the government to address the problem. I believe we should wait until the Minister of Industry has studied the recommendations and can report to us on progress.

Finally, we need more protection for personal information than is offered by Bill C-315. I say we should get on with the work and not take a detour down this path.

[Translation]

**Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ):** Mr. Speaker, I am happy to participate in this debate on the bill tabled in this House by our colleague, the hon. member for Cariboo—Chilcotin, which is aimed at protecting the privacy of individuals with respect to personal information about themselves obtained from certain corporations.

• (1750)

This is a very important issue in the world in which we live, an issue that, too often, is not taken seriously but that has major consequences in people's lives.

It is no secret that just about any personal information is now available for all kinds of purposes to almost any individual or corporation wishing to obtain this information. In the business world for example, everyone knows that our personal credit records can be put under the microscope by all kinds of institutions interested in digging into our past. Everyone also knows that, more often than not, information on our lifestyles and consumption patterns falls into the hands of all kinds of individuals and corporations whose goals may be questionable, without most governments being concerned about it.

In this regard, I say right off the bat that although the bill tabled by our Reform colleague does not, as the hon. member for Winnipeg St. James just pointed out, meet all our expectations with respect to this problem, it places it in the public domain and urges the federal government, which so far has been negligent in this area, to examine the problem and, hopefully, come up with more restrictive legislation in the near future.

What I also like about our Reform colleague's initiative is that he refers to the Quebec legislation. In introducing his bill, he referred to the fact that, in 1994, Quebec enacted legislation to protect personal information not only from public institutions but also from private enterprise. This legislation was Bill 68, which, as I mentioned, was enacted in 1994.

I said earlier that Bill C-315 is quite commendable as far as its goals are concerned, but that it has flaws, which should be pointed out. First of all, the bill refers to the sale of information. Any federally registered company wishing to sell information on a group of individuals would have to notify each of these individuals of its intention and of the personal information in its possession, and to obtain his or her consent. Never can we in

any way prevent companies from providing information or exchanging lists, provided the lists are not actually sold.

So, there is some kind of a loophole there that should be looked at and plugged if at all possible. There is also, as I said earlier, the requirement to send a notice concerning the sale of any list of individuals. But, even if this bill is passed, nothing will stop companies from selling information on one individual at a time.

• (1755)

These two examples show that there are deficiencies in the bill put forward by our friend from the Reform Party, deficiencies that must not be overlooked. As the hon. member from the Liberal Party suggested earlier, perhaps in a future bill we can take all of this into account and come up with ways to prevent this kind of problems.

Another point I wanted to raise is the small fines for non-compliance. The bill provides for fines of \$5,000 to \$10,000. I was listening to the hon. member from the Reform Party who spoke before me talk about the huge profits generated by the sale of this kind of information. It stands to reason that imposing such small fines is not likely to discourage companies from breaking the law. We should therefore make sure that fines are much larger, stiffer.

Another deficiency of this bill concerns the type of personal information covered by the act. A full list, a rather long list in fact, can be found in clause 2 of the bill. Again, it is not quite complete.

The problem in making a list is that you can forget to include major elements. I would like to point out that there is no mention, in this list, of political affiliation. I gather that this information is not considered personal in nature. Criminal record, work experience, place of birth, sexual orientation and mother tongue are not included or listed either in clause 2 of the bill, while I would think this information as strictly personal information that needs to be protected under a bill like this one.

To conclude, as I said at the outset, although the bill contains major deficiencies, it at least has the merit of being a first. It is a step in the right direction, as the first piece of legislation introduced by the federal government to protect personal information.

This debate is also an opportunity to alert the public to the real danger of not having legislation on the subject. In a way, as limited as its scope may be, it is difficult not to support this bill.

I would like to point out, since our colleague from the Reform Party referred to the Quebec legislation, that the latter is much more meaningful and precise. I would hope that when this act, if passed of course, is amended in the future, we should be able to refer to the Quebec legislation to ensure that personal information is better protected.

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This goes to show, once again, if you do not mind my saying so without a trace of parochial spirit, that in many areas like this one, Quebec's know-how can easily be exported. People are welcome to refer to our legislation; they will not be disappointed.

I will close on this, just adding that the Bloc Québécois supports the bill put forward by our colleague from the Reform Party.

• (1800)

[English]

**Mr. Raymond Bonin (Nickel Belt, Lib.):** Mr. Speaker, while I agree with the spirit of Bill C-315, I am not in a position to support its content, which I find narrow and burdensome, particularly in consideration of the much broader and flexible measures presently being looked at.

Bill C-315 has a narrow focus when broad based measures are needed to ensure the level playing field for industry while protecting the privacy of Canadians. With advances in information and telecommunication technologies, the privacy of consumers is at risk, but this bill does not provide the type of broad based protection which is necessary.

As part of a global economy, we can expect that cross-border consumer transactions will increase and with them a related growth in direct to home sales of the type which make regular use of mailing lists in order to gain access into the homes of Canadians.

Mailing lists, when combined with other transaction related databases such as credit ratings and financial accounts, can be assembled into profiles of individuals. These records can cross national borders, be exchanged, resold, reused or integrated with other databases, often without consent or remuneration, for purposes unrelated to those for which the data were originally collected.

Consumers are frustrated and angry when subjected to perceived intrusions by commercial interests into their personal domain. Personal information privacy is an issue of considerable importance to Canadians as has been revealed by numerous surveys in recent years.

Bill C-315 has a very narrow focus. It applies only to the sale of lists containing personal information when in reality the normal business practice is the rental of such lists. The bill focuses narrowly on lists when in fact a vast amount of personal data can be blended and put together from the type of consumer transactional data currently exchanged between firms or within large organizations.

The bill applies only to federal corporations, while mailing lists and other information is often transferred between provincial corporations, individual proprietorships and partnerships.

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If passed, the result would not be a level playing field of clear and consistent privacy rules applying to all sectors, but rather a patchwork quilt of uneven privacy obligations from sector to sector, firm to firm and jurisdiction to jurisdiction.

Other initiatives currently under way might provide a better approach. We are currently studying these options. Most notable is the Canadian Standards Association model privacy code. The CSA code sets out 10 principles governing how personal information should be collected, retained, kept up to date, used and disclosed by the private sector.

Adoption of the code by firms using mailing lists would tend to ensure that consumers are informed of the existence of such lists, given the opportunity to consent to their use and verify their accuracy.

The CSA code is voluntary, but I propose and support that it become the basis for flexible framework legislation. The Canadian Direct Marketing Association, the Information Highway Advisory Council and Canada's privacy commissioner all agree. The CSA model privacy code represents a potential basis for the development of flexible national standards.

I agree with the spirit of Bill C-315 and applaud the efforts of the hon. member in this regard. However, I am not in a position to support its contents as I find it too narrow, particularly in consideration of the much broader, flexible and less costly measures available to us.

I will continue to work to convince the government to introduce broad based and enforceable privacy protection for Canadians' personal and financial information in the marketplace. I feel that such legislation is important to my constituents. It is important to all Canadians. The legislation that we can accept must be enforceable, must have teeth and must apply to institutions like banks. It must also consider new technology like the Internet.

This bill is too narrow and does not create a comprehensive framework to deal with the real privacy concerns of all Canadians. I commend the hon. member for his efforts but I fear his bill does not go far enough.

• (1805)

[*Translation*]

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, I am pleased to speak on this bill. I must start off by saying that I applaud this initiative on the part of my colleague and can see the good intentions behind it. I do, however, also believe, having seen the criticisms of it, that it contains certain weaknesses which I would like to point out. At the same time, I would like to

review the entire matter, propose some potential solutions, and point out why it will be very difficult to proceed with such a bill.

As I have said, this is a well intentioned bill but one with a number of weaknesses which have already been described by a number of my party colleagues and by at least one member of the opposition.

[*English*]

If we were to send the bill to committee and try to correct it we might lose some significant time trying to redirect an approach which some people would believe is too narrow to address all of the concerns Canadians continue to express about the protection of their privacy. That is not for me to decide by myself. Let me share with the House why.

Every time we open a newspaper we see another story about the abuse of personal information with the potential that new technology has to invade our privacy and provide surveillance of our every movement. Even the chairman of Microsoft, Bill Gates, in an article which appeared in the *Ottawa Sun* on September 20 of this year pointed out the need for government action and indeed legislation to protect privacy in the face of new technologies which he would be well placed to understand.

He used the example of software programs which would replace human travel agents and track customers' tastes and preferences to give the best possible service.

He states in the last two paragraphs of that article: The marketplace may be able to resolve some of these issues. For example, customers may learn to avoid travel agencies that don't share personal profiles, or that share them too freely.

"But the marketplace will not resolve every privacy issue. Neither will technology. What is needed is a great deal of unrushed debate, leading to intelligent public policies".

I doubt that these new automated travel agents would be covered by Bill C-315 and we need to consider how serious a problem this might be.

I applaud the hon. member for bringing the issue of privacy protection to the attention of Parliament. I believe that he has done what he ought to do. I believe that we could follow Mr. Gates' advice and start a process of unrushed debate leading to intelligent, profound public discussion on a policy that will meet the needs of today's society, not necessarily by accepting this bill and fixing it but by building on the work that has been done in Canada where we have among other initiatives the first data protection legislation in North America to cover the private sector. I refer to Bill 68 in the province of Quebec.

We need a far more comprehensive approach to these problems. The government has been doing the groundwork necessary to provide greater privacy protection. I would like to talk a bit



about this work and about a better way perhaps to address the hon. member's concerns.

My first point is that the Canadian Standards Association model privacy code provides a basis for a broad based approach to privacy protection.

The Information Highway Advisory Council has recommended to the government that it bring in flexible framework legislation based on this code and that it work with the provinces to find a way to get a standard of fair information practices incorporated in the areas where it does not have jurisdiction.

On October 3 the Canadian Direct Marketing Association echoed this, calling on my colleague, the Minister of Industry, as minister responsible for consumer affairs, to table framework privacy legislation in the House of Commons. The CDMA has been a key player in the development of this national standard for the protection of privacy under the aegis of the Canadian Standards Association. I applaud not only its efforts in helping to develop this code but the leadership that it has shown in recognizing the merits of the legislation.

The House will recognize that it is not often that industry calls for more legislation. I think this action underlines the importance of privacy in the minds of consumers and the need for us to look at it carefully in all of its aspects. In particular, we must respect both the rights of the citizen and the information needs of industry when we think of legislation.

• (1810)

There are legitimate needs for personal information gathering in each sector. Banks need to gather information to assess credit risk, medical researchers need to conduct long term health studies to determine the effects of drugs, environmental concerns and health practices. Direct marketers do not want to send special offers for lawn mowers to folks who live in apartment buildings. Market research helps us as a society to tailor product innovations to the needs of consumers. These are good uses of personal information and we do not want to shut down the use of personal information.

Bill C-315 could shut down federally incorporated businesses doing direct marketing through the use of lists because while the bill speaks of obtaining the consent of each consumer, which sounds to be a reasonable enough option, the administrative burden and liability involved in this process would cause businesses to drop the activity altogether in a number of cases.

This may or may not be the goal of the hon. member but I believe both consumers and Canadian business deserve a more careful approach to the problem and one in which they can actually participate.

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The Information Highway Advisory Council made a number of other recommendations concerning the protection of personal information, including the use of technologies which protect privacy. It called for the banning of scanning devices which monitor cellular transmissions. It called on the federal government to form a federal-provincial-territorial working group to start a dialogue about some of these important issues and work together for harmonized solutions. It called for the CSA to continue its work and for the consensus group which crafted the model privacy code to work together to develop meaningful oversight.

These are all thoughtful suggestions from a group of experts who took the time to study the issue in some significant depth. I believe that we should wait for the government response to these recommendations before we jump the gun and attempt to start legislating privacy protection.

I would like to share with the House a letter given to me which I think speaks to the issue:

Please share the following message with government MPs who will be speaking today on Bill C-315.

Members of the Canadian Direct Marketing Association agree that a legislated comprehensive set of privacy principles is needed to guide business in their activities to respect the rights of the individual. There is an excellent model to accomplish this in the 10 principles of the new code for the protection of personal information of the Canadian Standards Association.

The current bill before Parliament, Bill C-315, while formatted with the best of intentions, is so fundamentally flawed that it cannot be saved by any amendments. The bill would not accomplish the fundamental purpose of protecting personal privacy; would seriously limit an individuals' freedom of choice and would be an unnecessary and destructive interference in the marketplace.

CDMA is very concerned that if this bill is allowed to proceed to committee, the consensus among business, consumer groups and government which produced the CSA code after two years of hard work and compromise, will entirely collapse.

It is signed John Gustavson, president and chief executive officer.

It is up to the members now to decide how to proceed.

**Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.):** Mr. Speaker, I appreciate the opportunity to speak to Bill C-315. I should begin by complimenting the hon. member for having put the bill before the House. I believe that its intent is good and that the idea of trying to protect consumers and ensure that the personal information we supply as individuals to corporations and other entities is not just used willy-nilly in whatever fashion somebody other than an individual may decide.

• (1815)

It no doubt is disconcerting for consumers to go to large institutions and buy a product or get a service of some sort and all of a sudden appearing in their mailboxes the next month, and oftentimes for the next decade, are solicitations of one sort or

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another. Obviously consumers are not anxious to see that happen. They are not anxious to have that practice continue to the extent it obviously is. In that respect, I want to compliment the hon. member for putting together a private member's bill to deal with that.

The bill and the process of correcting the problem needs to go beyond the recommendations that are in front of us here today. We need to continue a process that has already been undertaken by the government. There is a consultative process that many of my colleagues have talked about previously in the House, where the industry department is working on this issue and in coming up with the solution is trying to be as comprehensive as possible to deal with this problem in a way that finds a good workable solution and finds a solution in a way that is not going to by itself create a burden for the consumer, is not going to create new government bureaucracy, is not going to result in a situation where adherence to the new rules will be so expensive that invariably and inevitably that kind of increased expense would be passed on to the consumer.

In reviewing the bill, there are a couple of places where I think we need to step back and ensure the problem is dealt with more comprehensively. As has been mentioned by a number of government speakers previously, one of the concerns with the bill in the format it is being presented to the House is that the definition of personal information is too narrow. We want to make sure that when we address the issue of privacy and confidentiality we do it in as broad a manner as possible and capture as many of the situations that are occurring out there as possible. We do not want to deal with this piecemeal, where we deal with one aspect of the problem and then have to come back and deal with others. We want to make sure that the definition of personal information is indeed as broad as possible.

We also want to make sure that in solving the problem we do not create a new problem. I know the hon. members of the third party would agree with me that the last thing we want to do is create a new regulatory regime, a new regulatory infrastructure that places an enormous burden on businesses. The way this bill is drawn up and the amount of consultation and notification that would have to take place when we are trying to delete specific information would create an enormous burden for individual businesses. There is probably a more efficient way to do it, a way that would not create quite as much of a workload and create such additional burdens on the private sector.

In coming up with the solution for the problem in this bill, it is going to call for a whole new amount of direct mailing as you ask for permission from the consumer to use their particular name. If the list is being sold then people have to write to the consumer and ask for their permission and then they have to write back. That seems like a very difficult and cumbersome type of situation.

There is a concern about capturing a very narrow portion of the market, those corporations that are federally incorporated. Obviously there are a lot of other entities that exchange and use information, right from an individual through partnerships, provincially incorporated entities.

• (1820)

It is important we ensure we have as broad a scope as possible in the bill. As I mentioned earlier, we have to ensure we address as vast a range as possible of consumer privacy concerns. I really believe we have to deal with this problem in as comprehensive a manner as we possibly can, making sure all of the issue is dealt with.

As I said in my opening remarks, obviously the intent of the bill, the desire to ensure consumer protection, is excellent. It is one the constituents in my riding of Parry Sound—Muskoka and I am sure all Canadians want to have addressed. They are genuinely concerned, particularly in these days of computerization. Information can be transferred electronically and in great amounts from one institution to another. They are concerned in that kind of environment that their privacy be protected.

As the hon. member who introduced the bill knows, it is important that the consumer receive protection in this respect. That is why I believe it is important to broaden this initiative. When we address the problem we must ensure that we address it in the fullest possible way. When we have done our work we must ensure we have covered as much ground as possible in order to protect the greatest number of consumers we possibly can.

**Ms. Bonnie Brown (Oakville—Milton, Lib.):** Mr. Speaker, as we consider Bill C-315 we should review what the government is doing in this area.

Industry Canada and the Department of Justice are working on a comprehensive approach to privacy protection to respond to the recommendations of the information highway advisory council. For this reason, I do not want to support Bill C-315. I would rather wait until the Minister of Industry tables his response to the information highway advisory council.

Both that council and the Canadian Direct Marketing Association have called for comprehensive legislation based on the Canadian Standards Association's model privacy code. It seems to be more advisable to start from this consensual base and start the work that needs to be done to get broad-based support in the full community for action in this area.

I understand that the ministries of industry and justice are examining the recommendations I just mentioned. They are trying to come up with a broad based approach to the issue that both consumers and business would prefer. Any such approach would encompass existing voluntary efforts and the many excellent codes business has already put in place in a voluntary fashion. We should take the time to allow this process to unfold

and not start working on quick fixes to one problem after another.

This is not to underestimate the work of my hon. colleague who brought forward the legislation, but rather to pull the threads together of work that is being done in many areas of government on this issue. For example, my colleague, the hon. member for Nickel Belt, has also called for a national privacy law, building on the work of the Canadian Standards Association. He has also called for a working group to be struck to work on the drafting of such legislation, ensuring that it is enforceable and that there is an independent body for oversight. I commend his interest in this issue and I would suggest that we build on the work that is already going on in government.

• (1825)

Bill C-315 would require that an organization notify each individual on a mailing list each time that list is sold to another organization and ensure that the individual's consent has been received. In addition, it requires that the organization selling the list also notify that same individual that his or her name has been obtained. The legislation deals only with the sale of mailing lists.

Organizations would have 10 days to comply with requests from individuals to have their names or certain elements of information removed from the list. Fines for repeated offences could reach \$20,000.

This legislation would affect the marketplace narrowly, in that it focuses only on personal information linked to mailing lists. It does not provide protection for personal information involving the vast majority of marketplace transactions.

The role of the federal government could be open to constitutional challenge, in that the regulation of personal information provided as part of a contract could be interpreted as a provincial responsibility. Quebec has already made such a claim in establishing privacy legislation applicable to all personal information gathered as a result of marketplace transactions.

A government infrastructure would be required to enforce the legislation. The sheer number of names contained in mailing lists suggests that there would be numerous complaints to be handled by the federal government. The resulting bureaucracy could be very costly.

Some have said this legislation is too narrowly focused to provide adequate protection of personal information. Lists are more commonly rented than sold today, and the legislation fails to address rentals. The legislation would be costly to enforce and cannot deal with nominative lists originating with organizations based outside of Canada.

### *Private Members' Business*

A recommendation from the information highway advisory council on establishing framework privacy legislation is currently under consideration.

I know the minister does not support the passage of the bill at this stage, as he is hoping for a broader response to this very current issue that affects consumers. As a result, I am not going to be supporting this bill, although I would like to thank the hon. member for bringing this important issue forward to the front burner of our national agenda. I believe we should ask the Minister of Industry to report back to the House on the work that is in progress rather than cut short his efforts and those of the justice minister by starting fresh work in a new and more limited direction.

**The Acting Speaker (Mr. Kilger):** Is the House ready for the question?

**Ms. Catterall:** Mr. Speaker, I had understood Reform Party members wanted to put up an additional speaker. I was leaving that time available. However, if they do not intend to speak then I would certainly wish to debate this bill. If they could perhaps indicate whether they do have another speaker, I would be happy to stand down.

**The Acting Speaker (Mr. Kilger):** I am not here as a negotiator, just as a Speaker. I am simply putting the question to the House.

**Mr. Mayfield:** Mr. Speaker, it was my understanding there would be another speaker from my party. If the debate has come to a conclusion, I would like an opportunity for a brief summary.

**The Acting Speaker (Mr. Kilger):** There may come a time for that to transpire, but right now we are simply resuming debate. I give the floor to the chief deputy whip and there is approximately one minute remaining.

**Ms. Marlene Catterall (Ottawa West, Lib.):** Mr. Speaker, one obviously cannot speak a great deal on this important issue in one minute. However, let me take a minute to acknowledge the importance of the issue that has been brought forward: the protection of the privacy of individuals in an increasingly technologized world.

I do not think any of us can go through a day without being aware of how much very personal information about us is available to a myriad of people without our knowledge and the fact that the putting together of that information can jeopardize our privacy extensively. That is precisely why the Minister of Industry is addressing this extremely important issue and fully anticipates bringing measures forward to the House earlier in the new year.

• (1830)

The bill is well intentioned. It has some flaws in it, however. It would be appropriate for the proposer of the bill to engage in another hour's debate on the matter, to make some points as have been made in the debate so far that he believes need to be

*Adjournment Debate*

considered by the government in drafting the bill, and to take the points forward in debate on legislation that will come before the House. Potentially there will be amendments. We are open to having appropriate action on the matter for the protection of Canadians and their privacy.

**The Acting Speaker (Mr. Kilger):** The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 93 the order is dropped to the bottom of the order of precedence on the Order Paper.

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## ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved

COMMITTEE CHAIRED BY THE MINISTER OF INTERGOVERNMENTAL  
AFFAIRS

**Mr. André Caron (Jonquière, BQ):** Mr. Speaker, on November 24, I put a question to the Minister of Intergovernmental Affairs. I asked him whether the interim report he transmitted to the Prime Minister on behalf of this committee included the option of putting before the House a simple resolution on the distinct society concept and whether that option was the one favoured by his committee.

As usual, the minister evaded the issue, saying it was not up to him to reveal the results of the work of this committee and that later on, at the appropriate time, the opposition would see whether that was the Liberal government's option.

We asked this question because we wanted to warn the government against proposing to the House a simple resolution to recognize Quebec as a distinct society within Canada. We simply wanted to tell the Liberal government that it was useless, that it was an entirely symbolic gesture that would in any case fail to satisfy Quebec because it did not go far enough and would be rejected by English Canada because it would involve too many changes, according to them.

We wanted to say this because in Quebec, the distinct society issue was raised in the Liberal Party's platform around 1984 or 1985. Robert Bourassa, who was subtle in his approach, had found this expression and used it as a synonym of the concept of the Quebec people, to make it palatable to English Canada. Basically, Mr. Bourassa thought that Quebecers would agree, saying that it was in fact a synonym of the Quebec people and that English Canada would agree in the belief that it meant nothing. History has shown that English Canada was right.

At one point the concept surfaced in the Meech Lake accord. It has often been said that this particular concept was more

important than the one in the federal government's current proposal, the claim being that it would affect the way the Constitution was interpreted and that the concept of distinct society in the Meech Lake accord would even take precedence over the charter of rights and freedoms.

This was far from obvious. Eminent legal experts in English Canada, including Professor Peter W. Hogg at York University, claimed the opposite was true, and said quite clearly: "The new section does not take precedence over the charter of rights and freedoms. In fact, as a straightforward interpretative clause, it is subject to the charter".

• (1835)

Had the Meech Lake accord been accepted in its day, we would have found ourselves again before the Supreme Court, which would—contrary to what Premier Bourassa said—again have concluded that the agreement Quebec had signed in good faith did not take precedence over a fundamental element of the Constitution, namely the Charter of Rights and Freedoms.

Obviously we have nothing against a constitution's containing sections aimed at defending citizens' rights, but nevertheless the Charter of Rights and Freedoms has been useful to those wishing to block the aspirations of Quebec, to restrict its development culturally and linguistically.

That charter has helped these people, whom I could almost describe as malevolent, to hobble the development of Quebec and to make it so that today Quebec has no other solution than to promptly and firmly reject any notion of a distinct society and to come up with the proposition that was ours during the last referendum, which is to state loud and clear that Quebec is not a distinct society but a people, period.

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, on November 24, the member for Jonquière asked the Minister of Intergovernmental Affairs a question on the federal government's intentions regarding Quebec.

The Minister responded, quoting the Prime Minister, who had said the following:

To ensure the change and modernization of Canada, no change is excluded.

The Prime Minister promised he would act on the matter of a distinct society and the matter of a veto. He acted on these two promises very quickly, and Quebecers have seen that the Prime Minister is a man of his word, who keeps the promises he makes.

The committee discussed the matters of a distinct society and a right of veto, and we have already seen the initial results, which the Prime Minister announced Monday. The distinct society clause is one Quebec has long sought.

*Adjournment Debate*

The Prime Minister of Canada's resolution finally accords Quebec Canada's full recognition, because Parliament is the only place representing all Canadians from all regions.

The Prime Minister had promised during the last week of the campaign that he would act to reinstate the right of veto that René Lévesque had lost. We will reinstate it, and this is a big step toward resolving Canada's problems.

The changes required can and must be made within Canada. This is the message sent to all Canadians, including the members of the official opposition, by the October 30 vote.

As the minister said yesterday in the House, his committee is currently studying other questions, including rationalizing powers among the provinces and Canada, and will submit recommendations to the Prime Minister when they are ready.

Our aim is not to destroy Canada, but to build it. This is what the majority of Canadians and Quebecers have asked us to do, and, because we believe in democracy, we will try to continue to build Canada.

[English]

## CONFEDERATION LIFE INSURANCE COMPANY

**Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.):** Mr. Speaker, following on my question to the Secretary of State for Financial Institutions, I wish to emphasize that many of my constituents in the riding of Parry Sound—Muskoka have had their retirement savings jeopardized by the collapse of Confederation Life. They have come to ask for assistance because as every day passes they are suffering financial uncertainty as a result of the collapse of this financial institution.

Obviously what has happened as a result of the collapse of Confederation Life has affected each and every one of them, but some are paying a higher price for the collapse because of their own personal financial circumstances. It is for these people that I urge a speedy dissolution of the assets of Confederation Life, an expedited liquidation process, so that all Canadians affected by the collapse receive their money as quickly as possible.

Not long ago I presented a petition in the House with over 500 signatures on behalf of a group of Bell Canada pensioners who were frustrated not only with the collapse of Confederation Life but also with their inability to convince their employer, Bell Canada, that it had an added responsibility to the company's pensioners. These pensioners believe that because Bell Canada not only chose Confederation Life as the administrator of its group RRSP but also encouraged its employees to participate in the plan, it must now take responsibility for those actions.

The petition I presented calls upon Parliament to initiate an investigation into the collapse of Confederation Life with particular reference to Bell Canada's responsibility toward its

employees' funds. I too would like to see this matter resolved expeditiously.

Unfortunately this whole matter is essentially in the hands of the liquidator and the government's ability to intervene is somewhat limited as a result. We know that when a financial institution goes into liquidation it ceases to be a regulated financial institution and responsibility for the distribution of the estate passes to the liquidator under the court's supervision.

My concern right now is with the length of time it is taking to get through this liquidation process. One of the greatest priorities is to recover as much per dollar as is possible by getting the best price on the sale of assets. That is a given. It is my hope this process can be hastened in the interests of those who have been affected by the collapse. We need to get those funds that are guaranteed paid back to the investors, the men and women in this country who put their faith in this company, Confederation Life.

Retirees with the Bell group RRSP investments below the CompCorp limit will eventually be fully compensated for the time value of their money. The failure of Confederation Life did not affect Bell's principal pension plan, but in the case of amounts above the \$60,000 CompCorp limit, until the liquidation process is completed it is impossible to determine the proportion of benefits that will eventually be paid.

Granted, in the two previous liquidations of life insurance companies in Canada, policyholders received a significant portion of the benefits owed by the companies, but this is small comfort to those whose life savings are now in jeopardy. These funds are of significant concern to my constituents and many other Canadians. I appreciate their difficulties and I want to do all I can to help resolve this issue and to encourage Bell Canada to accept the fact that it has an obligation to work with its employees and former employees to come to some kind of understanding or compromise.

It is my sincere hope that Bell Canada will address this issue with its present and past employees and will work judiciously to resolve what has become a contentious matter.

[Translation]

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, I realize that this is a particularly touchy subject for my colleague and for those affected by this problem, of course.

[English]

I recognize this is a very difficult issue for those Canadians, including Bell pensioners, who had investments in Confederation Life. There are several factors that should serve to diminish the adverse consequences of the failure of Confederation Life on Bell pensioners.

*Adjournment Debate*

First, the funds at issue were part of a supplemental savings plan that were intended to augment pension income for Bell pensioners. Bell's principal pension plan is separately managed and was not affected by the failure of Confederation Life.

Second, I am informed by the Canadian Life and Health Insurance Compensation Corporation, CompCorp, that the group RRSP in question is guaranteed by CompCorp to a maximum of \$60,000, including principal and interest. Amounts over \$60,000 will be recoverable through the liquidation process.

Finally, a hardship committee has been established by the liquidator to review requests in cases of unusual financial

hardship. The intention is to ensure that funds are immediately available to those most in need.

Regarding whether anything can be done to speed up the liquidation, responsibility for the liquidation of Confederation Life is a matter for the liquidator under the supervision of the court. As such it would be inappropriate to intervene.

[*Translation*]

**The Acting Speaker (Mr. Kilger):** In accordance with Standing Order 38, the motion to adjourn the House is deemed to have been passed. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.44 p.m.)

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