

istic composition of our society within a bilingual framework. The unanimous support given by the opposition parties was an endorsement of a national reality.

Undoubtedly, the preamble to the Constitution will contain a clear definition of Canadian society as it is, and as it should be, recognized for its pluralistic nature. But a reference to the preamble is not sufficient to guarantee the rights to all Canadians to maintain and foster their respective cultures.

I firmly believe that cultural diversity is the very essence of Canadian identity. Each individual in this country has the right to preserve and develop his own culture and values within the Canadian context. The fact that we have two official languages does not make a particular culture more official than another. It is precisely for this reason that I recommend to the joint committee that the wording in section 22 of the proposed Canadian Charter of Rights and Freedoms be amended by inserting the words "and culture" after the word "language." It would then read as follows:

Nothing in section 16 to 20 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed either before or after the coming into force of this Charter with respect to any language and culture that is not English or French.

I would urge the committee to consider amending section 24 by making it refer specifically to Indian people and by adding another sentence at the end, which would read as follows:

Nor should it be construed as denying the positive actions which the federal government has already taken and will continue to take with regard to its policy of promoting multiculturalism, in order to ensure a vigorous environment for the many origins, creeds and cultures which comprise the Canadian society.

**Senator Frith:** How would the whole section read?

**Senator Bosa:** At the end of section 24 we add another sentence. Perhaps I should repeat it.

**Senator Frith:** Read the whole section.

**Senator Bosa:** Section 24 reads:

The guarantee in this Charter of certain rights and freedoms shall not be construed as denying the existence of any other rights or freedoms that exist in Canada, including any rights or freedoms that pertain to the native peoples of Canada.

The National Indian Brotherhood has objected to the description "native peoples", because it believes it may be confused with the Métis people. It wants specific reference to Indian people. I would recommend that we add to this section the following sentence:

[Senator Bosa.]

Nor should it be construed as denying the positive actions which the federal government has already taken and will continue to take with regard to its policy of promoting multiculturalism, in order to ensure a vigorous environment for the many origins, creeds and cultures which comprise the Canadian society.

If those amendments could be incorporated in this constitutional package, it will go a long way toward reassuring the ethno-cultural communities that this government is not just paying lip service to them. I hope that those honourable senators who will be members of the joint committee to consider the constitutional package in detail will take note of these proposed amendments, and make vigorous representations for their adoption.

On motion of Senator Roblin, debate adjourned.

## THE CONSTITUTION

### PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN—ORDER STANDS

On the Order:

Resuming the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", tabled in the Senate on 6th October, 1980.—(Honourable Senator Frith).

**Hon. Royce Frith (Deputy Leader of the Government):** Honourable senators, I would like this order to stand. Since it deals with the subject of the motion we are now debating, I would suggest that it be allowed to expire. However, I will make that suggestion tomorrow. I would prefer to make my remarks relating to the subject matter of that inquiry when I participate in the debate on the motion. For the present, I ask that this order stand.

**Senator Flynn:** We will consider that.

**Senator Frith:** Another honourable senator may wish to speak to this order, in which case I will yield.

Order stands.

## NOVA SCOTIA

### OFFSHORE MINERAL RIGHTS—HISTORICAL FACTS—BRITISH COLUMBIA REFERENCE CASE—INQUIRY STANDS

On the Inquiry by the Honourable Senator Smith:

That he will call the attention of the Senate to some of the historical facts relevant to the claim of Nova Scotia to minerals off its shores which distinguish that claim from the British Columbia claim as dealt with by the Supreme