

THE SENATE

Wednesday, January 14, 1981

The Senate met at 2 p.m., the Speaker in the Chair.
Prayers.

DOCUMENTS TABLED

Hon. Raymond J. Perrault (Leader of the Government) tabled:

Report on operations under the *Regional Development Incentives Act* for the month of October 1980, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

QUESTION PERIOD

[English]

THE CONSTITUTION

SPECIAL JOINT COMMITTEE—GOVERNMENT AMENDMENTS TO PROPOSED RESOLUTION FOR JOINT ADDRESS—RESULTS OF GALLUP POLL

Hon. Jacques Flynn (Leader of the Opposition): Honourable senators, last evening the Leader of the Government stated:

—the proposed amendments presented last evening by the Honourable Jean Chrétien do not necessarily constitute the final number of amendments which the government may be prepared to support.

We were very comforted by this statement which followed a question relating to Mr. Chrétien's statement that the government was listening to all Canadians.

In today's *Ottawa Citizen* the results of a Gallup poll are shown. Part of this article reads as follows:

Only 22 per cent support the process Trudeau is advocating of having the Charter of Rights entrenched by the British Parliament before the Constitution is brought home.

It goes on to state that:

—64 per cent of Canadians support simple patriation but are opposed to asking the British Parliament to add a Charter of Rights to the British North America Act before it is returned to Canada.

Bearing in mind the fact that the Minister of Justice stated that the government has been listening to all Canadians, and the fact that 64 per cent of Canadians support simple patriation, is the government prepared to accept the views of those Canadians, who represent a large majority of the population?

Hon. Raymond J. Perrault (Leader of the Government): This question is, of course, not totally unexpected. The publicity given to this Gallup poll has been quite extensive. However, I should like to remind honourable senators that the question asked was:

As you may know, the federal government, under Prime Minister Trudeau, is planning to ask the British Parliament to pass legislation bringing the British North America Act—that is, the Canadian Constitution—to Canada.

Which of these alternatives would you prefer to see?

The replies given were in response to that question.

I ask honourable senators to consider what kind of response would have been elicited from the Canadian people had the wording been something like this:

As you may know, the federal government, under Prime Minister Trudeau, is attempting to patriate the Canadian Constitution after 53 years of deadlock, frustration and failure to obtain agreement from the provinces. Do you support action now on patriating the Constitution?

May I suggest, honourable senators, that the answer overwhelmingly would have been that they do want the Constitution patriated.

Senator Grosart: Of course.

Senator Perrault: The people would say they want it in this country.

• (1410)

With the kind of background it has—53 years of attempts to negotiate with the provinces—I am certain the people would support the method the government has chosen to undertake this very important task. Furthermore, I reiterate what I said last evening, that the government is prepared to consider further amendments to make these constitutional proposals acceptable to Canadians.

Senator Flynn: Quite apart from the irrelevant comments of the Leader of the Government with respect to the polls, do I understand that he is telling us that the Prime Minister has changed his mind and is not prepared to look at these polls in the same fashion as he suggested before Christmas—that being that polls are for dogs?

Senator Olson: No, it is a crooked question.

Senator Perrault: Of course the attitudes of Canadians are always given careful and serious attention by this government, and supporters of this government, but, honourable senators, I suggest that a government is abdicating its responsibility if its actions are going to be dictated solely by polls which are produced from time to time by survey organizations. The

government has a much higher responsibility than to be guided by polls.

Senator Grosart: Or referenda?

Senator Flynn: I suggest to the Leader of the Government that the majority in Parliament should not be led by the fancies of one man.

Senator Olson: That has never happened with this government.

Senator Perrault: I say to the Leader of the Opposition that that is not the case. To suggest that somehow this constitutional package has been developed by one person is clearly ludicrous. It represents a consensus developed across the country.

Senator Flynn: Over 53 years?

Senator Perrault: It is interesting to note that the Canadian Civil Liberties Association now supports these amendments. We have had support from the Honourable Richard B. Hatfield, the distinguished Conservative Premier of New Brunswick. The Leader of the Opposition should confer more frequently with his Conservative friend in New Brunswick to determine the many reasons why he, the premier of that province, is so supportive of these proposals.

The amendments are now supported by the Canadian Bar Association—

Senator Flynn: No, no.

Senator Perrault: —of which the distinguished Leader of the Opposition is a member.

Senator Flynn: I disagree entirely.

Senator Perrault: You may disagree with the Canadian Bar Association, but I suggest—

Senator Flynn: No, I disagree with your interpretation.

Senator Perrault: I suggest that the Leader of the Opposition read the statement issued last night by that organization.

Senator Flynn: I was at the meeting of the special joint committee when the Canadian Bar Association presented its brief, and that association did not have the courage to say whether the method employed by the government was legal or otherwise. They simply discussed the Charter of Rights, saying that it was a good thing—and, of course, it would be a good thing if the provinces agreed—but on the unilateralism of the action of the federal government, the Canadian Bar Association withheld its support. They did not have the courage to criticize it, but certainly they did not support it.

Senator Perrault: You are attacking the Canadian Bar Association?

Senator Flynn: They did not support it, and I deny the statement by the Leader of the Government.

Senator Perrault: The honourable senator may choose to carve out any position in the political spectrum that he may wish, but I suggest that he is going to find himself in a very lonely position standing in opposition to these great advances in human rights.

[Senator Perrault.]

Senator Flynn: That, of course, is the strategy of the Canadian government—to tell the Canadian people that we in the Progressive Conservative Party are opposed to the Charter of Human Rights and Freedoms. That is not the problem. There is the Canadian Bill of Rights, and each of the provinces has a bill of rights. The question is whether, when it comes to the question of entrenching those rights, it is only the federal government that is going to say what is going to be in the Constitution. That is where the government is wrong, and that is where the Leader of the Government, and those who support the government, are wrong.

Senator Perrault: The action of the Minister of Justice the other evening in bringing forward a whole panoply of suggested amendments to the constitutional package indicates that the government is listening to the Canadian people.

Senator Frith: And to the provinces.

Senator Perrault: I remind the Leader of the Opposition that the late great Prime Minister, the Right Honourable John Diefenbaker, as he may well recall, had hoped to extend his Bill of Rights into some more entrenched form. The Leader of the Opposition may well remember the frustrations Mr. Diefenbaker experienced at that time, and the frustrations that he, as a member of that cabinet, experienced at that time.

Surely there should be some recognition given to the fact that we now have a Prime Minister who is willing to proceed, with substantial support from the Canadian people across the country, to give meaning and substance to many of Mr. Diefenbaker's visions.

Senator Flynn: The Leader of the Government speaks of substantial support across the country. Given that 64 per cent of Canadians oppose the method chosen by the present administration and the present Prime Minister, I suggest to him that he is certainly off base in that regard.

Senator Perrault: His own leader said just a few months ago that the only poll that is really important is the poll taken on election day.

Senator Donahoe: That is the next election.

Senator Flynn: Yes. It will come in due course.

• (1415)

Hon. Lowell Murray: Honourable senators, may I be permitted a supplementary? I was extremely interested in the statement by the minister a moment ago that the government is still open to amendments. Am I to take it then that the Right Honourable the Prime Minister was misquoted in today's newspapers where he is reported to have told journalists on his aircraft that the government has gone as far as it can go and would probably not be accepting further changes?

Senator Perrault: Honourable senators, I am reflecting the view of the government that further amendments will be considered if they clearly appear to be in the public and national interest. I have not seen a transcript of the Prime Minister's reply, and I would like to have the total transcript—

the question he was asked and his reply—before commenting further.

Senator Murray: Does the leader think there is room for further amendments?

Senator Perrault: There is always room for further amendments in the considerations of this government which has demonstrated its great flexibility on matters of this kind.

Senator Murray: Then the minister does not believe that the government has gone as far as it can go with this project?

Senator Perrault: The expression "as far as it can go" should be reworded. The government will consider amendments if they serve the national interest. It is not a matter of adopting a negotiating position which somehow is going to achieve an immediate strategic advantage.

TRANSPORT

DOUBLE TRACKING OF RAILWAYS

Hon. Nathan Nurgitz: Honourable senators, I have a question for the Leader of the Government in the Senate. Yesterday in my home city, Winnipeg, the Minister of Transport told the Manitoba Farm Bureau that if nothing is done about railway losses the Canadian Pacific main line to Vancouver will become overburdened by late 1983 or 1984, and that traffic rationing will become necessary. So that the government will perhaps avoid what could be a serious problem of rationing of track space, can the Leader of the Government tell us how close we are at this time to the implementation of the double tracking?

Hon. Raymond J. Perrault (Leader of the Government): Honourable senators, there is an obvious need for increased Canadian rail capacity. The western economy, despite the adverse economic climate in the world generally, is doing very well in many of its phases of activity. Of course, there will have to be an increase in double tracking. The CPR at the present time is planning the construction of, I think, four or five new tunnels in the Rocky Mountains to accommodate increased activity on the line. However, I have not seen the complete text of the minister's speech. Perhaps one of my colleagues will wish to add any information he has on this subject. It is certainly no mystery that, largely because of policies adopted by this government, the economy out west is booming these days and we are going to need more rail capacity.

Hon. Duff Roblin (Deputy Leader of the Opposition): Well, if ever I heard an outrageous inaccuracy, that has to be it. How can I sit here and listen to this?

Hon. Jacques Flynn (Leader of the Opposition): Well, we have no choice. We should be used to it by now.

GRAIN

EMBARGO ON SALES TO U.S.S.R.—COMPENSATION TO FARMERS

Hon. Martha P. Bielish: Honourable senators, I have a question for the Minister of State for the Canadian Wheat Board. I am happy to see him present in the chamber.

Senator Donahoe: A novelty.

Hon. Hazen Argue (Minister of State for the Canadian Wheat Board): I am glad to be here.

Senator Bielish: Is it still the government's policy to compensate grain farmers for the period during which Canada participated in the embargo of the Soviet Union? Would the minister responsible for the Wheat Board indicate when we can anticipate an announcement of those compensation payments?

Senator Argue: Honourable senators, the question of compensation for the loss that took place because of Prime Minister Clark's going along with the partial embargo—

Hon. Jacques Flynn (Leader of the Opposition): And you accepted it subsequently.

Senator Argue: No, we got rid of it subsequently and removed—

Senator Flynn: You took some time.

Senator Argue:—the albatross that a western Conservative had hung around the necks of the western producers. So the Canadian Wheat Board has gone over to the Soviet Union and recovered the situation and put another—

Senator Flynn: But there is no loss.

Senator Argue:—\$500 million into the pockets of western farmers. So it has been a wonderful success.

• (1420)

Regarding the question of compensation—I do not want to get on to something else, but I welcome the interruption from my distinguished friend, the Leader of the Opposition—the matter is under very active consideration. It is being considered and, so far as I am concerned, there is a substantial case to be made for compensation; but I have to say that a final decision has yet to be made.

ENERGY

OIL—SUSPENSION OF SYNCRUDE PLANT EXPANSION— DOMESTIC PRICING POLICY IN WORLD PRICES

Hon. Duff Roblin (Deputy Leader of the Opposition): Honourable senators, I should like to ask a couple of questions, one of which is directed to the Minister of State for Economic Development and relates to the government's so successful economic policies in western Canada that the Leader of the Opposition—

An Hon. Senator: The Leader of the Government.

Senator Roblin: Well, he should be in the opposition—that the Leader of the Government had brought to our notice. As my honourable friend probably expects me to say, I am referring to the announcement that the Syncrude plant expansion is now to be suspended.

I draw my honourable friend's attention to the statement he made yesterday about the government's policy of pricing oil from these unconventional sources at \$38 per barrel plus an