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VERBATIM REPORT
(Hansard)

Speaker: Honourable Thomas Lush

The House met at 9:00 a.m.

Mr. Speaker (Lush): Order, please!

Before calling the Orders of the Day, I would like to remind hon. members that one of the press people, a long time employee of CBC, Mr. John O'Brien, who has worked with CBC for thirty-four years in various capacities, and covered events in the Colonial Building, this will be his last day of work. I think he is working on this camera; this will be his last event. He will be retiring as of today, and I am sure all hon. members would want to join me in wishing him a happy retirement and thank him for his years of service.

Some Hon. Members: Hear, hear!

Orders of the Day

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Mr. Speaker, there is a minor error on the Order Paper, and I am calling the second Motion 3. There are two of them No. 3 - the second Motion 3.

Mr. Speaker: The second Motion 3.

The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker.

Today, in the Province, we have the unfortunate circumstance of having two strikes in the health care sector. As everybody in this hon. House realizes, the workers in the health care sector are essential to the operation of the system. Our health care system is such that there are services we

provide. Some of them can be considered to be of a non-emergency nature, and many services we provide are of an emergency nature. Even the ones we consider to be non-emergencies very quickly develop into emergencies. I think there is no need for me to belabour that point, because all hon. members know how important these workers in the health care sector are to the Province.

We have two strikes, one of the hospital support staff, and the other of the lab and X-ray workers. With the lab and X-ray workers, there is an essential services agreement that was struck between the union and Government and the Newfoundland Hospital and Nursing Homes Association. That agreement was struck and then the details of the agreements were worked out on an individual basis in the institutions around the province. With the Hospital Support Staff we have no essential services agreement with Government and the Newfoundland Hospital and Nursing Home Association, and the situation is, at this point, becoming of an emergency nature. Last night, I received a letter from the Newfoundland Hospital and Nursing Home Association addressed to myself as President of Treasury Board, and the Minister of Health.

In essence, it says, I must advise you that a number of our members feel they cannot continue through this weekend with the limited resources available to them and accordingly request that Government immediately declare a State of Emergency which will require a return to work of striking NAPE staff, as provided for by the Public Service Collective Bargaining Act. The resolution I gave notice of

yesterday, and we are debating this morning, does essentially that. It also provides access and does, indeed, give to the bargaining unit, binding arbitration on outstanding matters. It also provides a variety of other things, including penalties for non-compliance. So this Resolution effectively, Mr. Speaker, insists that the strike end and that binding arbitration proceed.

This resolution has been on the books for quite some time. I know that in a similar situation some of the members opposite, when they were in government, chose a different route. They chose new legislation rather than using The Collective Bargaining Act, and the reason for that, my understanding of it is, was that within The Collective Bargaining Act, the binding arbitration is on all outstanding items. The management in the hospitals didn't particularly want binding arbitration on all outstanding items, so, in effect, what was done previously, because of the distaste on the part of management for binding arbitration, was the binding arbitration was enforced on money matters, or some money matters, or whatever the case may be, and not on the whole package. At that point in time, the complaint of NAPE was that Government should have used its own legislation, should, in fact, have used The Collective Bargaining Act and brought in the resolution to declare the State of Emergency, that being the next logical step according to the legislation.

The situation is so desperate at this point in time that the Hospital and Nursing Homes Association, as much as they

dislike binding arbitration on all matters, are willing to go along with the binding arbitration on all matters. I say that to point out that they are convinced the situation is so serious, that they are willing to give in on their previous position concerning binding arbitration.

We have a lot of institutions around the Province which can, perhaps, hold out for another week or two. I am sure all members know what some of these institutions are. We have some institutions which can only hold out for another four or five days; we have more than a dozen institutions which really cannot hold out over the weekend; and we have one or two where the situation, yesterday, last night and this morning, is in a critical situation. So the Hospital and Nursing Homes Association felt they had no choice. And when we receive a letter, we have no choice but to proceed with the next step, because we have been advised that there are very serious problems in the system.

Now, Mr. Speaker, we believe that the binding arbitration that will follow, as much as we do not want to turn over to somebody else the ability to spend Government money, which is, in effect, what we are doing, is distasteful to us in that sense, but we believe this is a fair way to settle the disagreement we are presently experiencing.

A lot has been said over the last few days. All members know that in a situation like this, sometimes things are said that, perhaps, are not the whole story. That is the nature of our confrontational labour relations; the setup is a confrontational

one. But this group of workers is so essential to the maintenance of the system that, at this point in time, we have to put aside a lot of these things that have been said. There are a lot of details which, at this point in time, could be argued, that I do not intend to argue. We have to put aside those things, and we have to say that at a certain point in time the service to the people of this Province has to be provided. We have to say at a certain point in time that the health and safety of a group of people in this Province and, potentially, almost anybody in this Province, is at risk. We have to put aside the rhetoric, and we have to put aside what now seem to be petty arguments, petty differences, and provide the service that is so essential to the people of the Province. We have to do that and settle this disagreement as quickly as possible. Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. I guess the initial word I would use to describe what is transpiring and to describe the decision of the Government here today, is one of extreme disappointment, particularly, I am sure, on the part of the workers involved. It is extremely disappointing that the Government would chose to take this route. We understand that responsibility has to be shown. We are told, and we have to accept the word of the President of Treasury Board, I guess, and the association, that, in essence, they are saying there is a state of emergency, and that is what the resolution implies.

In addition to that, Mr. Speaker,

we have talked to people involved in the system, and we have listened and heard news reports. News reports, of course, we know are not always totally accurate, but at this point we have no other indication but that there are problems involved in this particular situation. I have seen the letter from the Hospital and Nursing Home Association. I believe, in fact, the President of the Union involved has said himself that nobody wants to see people suffer. But, Mr. Speaker, make no mistake about it, the blame for the situation which has occurred today, and leading up to today, must rest squarely on the shoulders of the Provincial Government. There is absolutely no question of that.

So, Mr. Speaker, to say that it is a disappointment, particularly on the part of the workers I guess, is an understatement. After only two days, the Government has decided to legislate the workers back to the work place. The Minister said in his comments, in introducing the resolution, that workers in the health care sector are essential. Now, Mr. Speaker, nobody disagrees with that. In fact, they are professional workers, they are extremely essential, and they have always, I believe, done their very best to ensure that the people of the Province of Newfoundland and Labrador have received the best, the very best of health care in our hospitals and nursing homes.

But, Mr. Speaker, these workers also have the right to proper collective bargaining; they also have the right to strike, particularly if they are unable to reach a collective agreement, and particularly if they feel that the bargaining process has been

unfair. Otherwise, Mr. Speaker, how else can workers achieve their legitimate demands?

The other thing that struck me in the comments of the Minister is that Government had no choice. Well, Mr. Speaker, I submit Government did have a choice, and that choice, Mr. Speaker, was for the Government, particularly the President of Treasury Board and, indeed, the Leader of the Government, the Premier of the Province - they had a choice. They could very well have taken more of an initiative, gotten more involved, and gone back to the table to bargain in good faith to get a collective agreement, with a determined will and with a resolve to get a collective agreement. The Government did not choose that course. Indeed, they have decided on a more dramatic course.

And, Mr. Speaker, it is rather interesting to hear on the public airways this present Government being described as the most anti-labour Government in the history of this Province. It is extremely interesting to hear those kinds of comments, I can assure you, particularly for those of us who have been involved in governing, I suppose, over the last decade. Because, God knows, many of us on this side of the House have experienced those kinds of situations on the odd occasion, but not always.

And, Mr. Speaker, with respect to this particular group of workers, the hospital support group, I do not believe they have ever taken this action before, in the last twenty years or so they have been negotiating. And that is because, from my experience at least, the Government always considered health care workers to be of

primary importance, and we went out of our way, I think, to try to ensure, and try to make sure that a collective agreement was reached.

Mr. Speaker, if the Provincial Government of the day had followed through on its commitment, on its campaign promise to change what is known as Bill 59, or what has been known as Bill 59, if they had followed through on that commitment, I submit that this situation would not exist today. And, Mr. Speaker, since 1986 I believe it was, there was clearly a commitment by the previous Administration to proceed or deal with negotiations as if that legislation was in place. I understand the present Government gave the same commitment, that they would deal as if that legislation had been in place. But what is more important, Mr. Speaker, is that the Government has now had in excess of a year - it is now into its second year, well into the second year I submit. It's their second legislative session and they should take the responsibility associated with not having proceeded in a more timely fashion to bring in that legislation and to make the changes they campaigned on, they committed to, and they promised. So the Government clearly must take a considerable amount of the responsibility in this situation.

I also remember, Mr. Speaker, not too long ago, only a couple of weeks ago, in questioning in the House of Assembly the President of Treasury Board with respect to another group in the health care sector which is presently on strike, and, unfortunately, I guess, almost lost in this whole situation - that is another issue I will deal with shortly - I

remember asking the President of Treasury Board question after question: What is he doing? What is Government doing to try to bring a resolve to that situation? I asked the Minister to personally get involved, take some initiative: Pick up the telephone! Call the negotiator! Call the President of the union! Sit down with him! Try to find a way to get back to the table and to get the matter resolved. And the words of the President of Treasury Board, which no doubt will come back, Mr. Speaker, to haunt him for time immemorial: "Ah, Mr. Speaker, the collective bargaining process is working and working very well". Those were his words, Mr. Speaker.

Well, now we see what the interpretation of those words mean to the President of Treasury board: Let them go out on strike! Never mind trying to get a collective agreement, let the go out on strike. We do not need to bargain, because that is the collective bargaining process and it is working well. I think the President of Treasury Board obviously should share a large part of the responsibility.

I mentioned the Lab and X-Ray workers, Mr. Speaker, and let's not forget that particular group of workers who are also very essential to providing good health care to the people of this province. And I trust and hope that the President of Treasury Board will take more interest and more initiative in trying to get that particular situation resolved, as well. It is extremely important.

Mr. Speaker, it also has to be said that the Government, from what I understand, has not really put its

shoulder to the wheel in terms of trying to get an essential workers' agreement. We hear reports that, in fact, agreements in some of the institutions were being negotiated; the union was prepared to work out those necessary agreements. In fact, I understand, I do not know if it is accurate or not, that, indeed, in one institution there was an agreement. That's what we understand. So if the government, perhaps, had put more effort into trying to get those essential services agreements in place, then the action the government is taking today probably would not have been necessary. We have seen, in some institutions, the use of scab labour; a lot of replacement workers being bused in to some of the institutions. Now if that won't irritate people on the picket line, I don't know what will. We cannot necessarily blame the workers for some of the re-actions they have taken.

And, Mr. Speaker, the police have been called in. It was only a few days ago the Minister said, 'We will never call in the police. We won't have to do what was done four or five years ago', and he made a point in his comments about what happened eight or nine years ago and how it was dealt with in those days. But that, Mr. Speaker, is not the issue. The issue today involves the rights of workers and involves an effort to make a fair and proper collective bargaining effort. That is the real issue.

Now, Mr. Speaker, I will conclude by making this comment, because I believe it has to be said. I think what we have seen develop over the last several weeks and months with respect to another important issue that we are debating in this Legislature, I

think it is fair to say that had there not been such a pre-occupation with that particular issue, had there not been so much media hype associated with that particular issue, it might very well have been that the government may have been able to put a bit more effort into ensuring that this particular situation did not develop.

I think there is a vacuum in the administration and governing of this particular Government at the present time. Obviously the whole process points out and indicates there is a lot of poor planning associated with this particular situation. There has been a lack of personal intervention, personal involvement, personal initiative, and leadership. A considerable lack of leadership is very evident.

Mr. Speaker, as I have said at the beginning, the decision by the Government is obviously an extreme disappointment to the workers of this Province. The Government must shoulder the responsibility for what has transpired. It is their responsibility. Mr. Speaker, I trust and I pray that the decision the Government is taking today will not seriously deteriorate the situation any further. I trust it will not. I also trust, Mr. Speaker, that the workers associated with this particular dispute will be given the rights they deserve, instead of the Government taking the intervention measure that it has decided to take today.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Minister of Health.

Mr. Decker: Mr. Speaker, twenty-five or thirty years ago

senior citizens homes in this Province were a very pleasant place to visit. Basically, they were hostels. They were elderly people who were well, who could dress and undress themselves, who could go to church on Sundays and go out for the odd-night shopping. They were a pleasant place in which to visit.

Over the past number of years the vast majority of people in these homes have grown a lot older and a lot sicker. They have reached the place today Mr. Speaker where, for me at least, I do not consider them to be the most desirable place to visit. That is when there is no strike. But when you have the workers who normally assist those people out on strike, they are indeed a very unpleasant place to visit, and a more unpleasant place in which to live.

In the nursing homes today, we have people who are in bed, in some cases, twenty-four hours a day. Some of those people have missing limbs, some of them have lost the use of their limbs, they have to be turned over constantly, every hour they have to be turned over to avoid bed sores which will put more pain and agony on those people. That is not happening today. Management are trying to cope as best they can, but because of the need to constantly turn over some of these people that is not happening.

Mr. Speaker, we have in those nursing homes today elderly people who have reverted back to the infancy stage. Adults who wear diapers. Diapers which have to be changed constantly. One of the wards in the institution has about between twenty-five and thirty men who are confined to their beds twenty-four hours a day. The

attendants have to start at one end of the ward and they go down the row of beds and they change the diapers and when that is done, they start over and they do it again. At this moment, this is not being done properly, Mr. Speaker, because there is a strike.

In nursing homes today the bedding has to be changed over and over many times during a day. This is not being done with the regularity that it should be done, Mr. Speaker.

In the nursing homes we have people who cannot feed themselves. Someone has to sit down and literally take the food on a fork or spoon and place it into the mouths of those people who cannot feed themselves. This is not being done with the regularity that it should be done, Mr. Speaker, that is what is happening in the nursing homes today. There are people in the nursing homes who have to be fed with tubes. Food has to be taken and literally pushed through tubes into the stomachs of people who are living in some of those nursing homes. That is not being done with the regularity it should be done at this very moment.

In those nursing homes, we have people who cannot bathe themselves. They are taken out and put into a chair lift, into a sling and they are lowered into a bathtub, where an attendant is required to bathe them. This is not being done with the regularity that it should be done today. Mr. Speaker, the wards have to be cleaned on an hourly basis. If the wards are not cleaned continuously, they will literally stink. The wards, Mr. Speaker, are not being cleaned with the regularity that they should be

cleaned.

On some of the Alzheimer's wards, where people are wandering in a constant state of confusion and should be supervised minute by minute, Mr. Speaker, this is not being done today and if hon. members think this is funny, I would suggest to them that none of us know what we have to come to before we die, so it is not a laughing matter, and I would tell the hon. Leader of the Opposition, Mr. Speaker, that if he is going to laugh at this matter, this is not the approach that I am taking to this! This is a very serious matter, and I would advise hon. members to treat this with the seriousness that it deserves. It is not a laughing matter for the people who are in nursing homes, nor is it a laughing matter for the relatives and the friends of those people. It is no laughing matter.

At this very moment, in the Escasoni Hoyles Complex, this morning, there are sixteen nurses working and there are thirteen other people working. The others are various members of staff. Some of them are trying to cope with the cooking, some of them trying to give direct attention to the people. Twenty-nine people today are working in the Escasoni Home in this city. On a normal day there would be eighty. Eighty people would be working. There is no Essential Services Agreement in place, so that a portion of that eighty would be able to work today. Where there should be eighty, there are twenty-nine. It is quite logical and we can certainly assume, since that has happened, the care is not being given in the Escasoni Home.

In the Hoyles Home today, on a

normal day, there would be eighty-two full time employees working in that institution. At this moment, there are thirty-six. We can certainly assume that the normal care is not going on.

Now, Mr. Speaker, in a normal, civilized community, we would make it of utmost priority that we have to care for people who cannot care for themselves. That is our obligation as a civilized people. This strike, had there been an Essential Services Agreement in place, I believe we could have coped with at least the basic care of some of the people.

The hon. Opposition House Leader, referred to the lab and x-ray strike. Credit to those people, Mr. Speaker. I have a great respect for those people who did indeed, put an Essential Services Agreement in place. The hospitals: the lab work is not being done to the extent that it would normally be done, but at least no one's health is being overly threatened as a result of the lab and x-ray strike. It is a civilized strike and although I am not entirely satisfied with what's happening with the amount of care that is being delivered, at least I have to say that it is civilized, it is going on in a proper way.

In this particular strike, I am not attempting to put blame on union or on Government, I am just stating what is happening in the nursing homes in this Province today. I should say, in some of the other provinces in Canada, such a strike would not have been allowed to happen. In some of the provinces this particular group has to settle its disputes by binding arbitration. Mr. Speaker,

since this strike began the Department of Health has been constantly monitoring what is happening in the nursing homes, and what is happening in the hospitals. We are finding that people, management, have been working seventeen and eighteen hours a day. I am convinced that they cannot cope much longer, especially in the Hoyles - Escasoni Complex.

Now there are some exceptions throughout the Province. I will be fair and admit that, Mr. Speaker, some of the smaller hospitals could go on for two or three more weeks and there would not be any tragic, drastic results of the strike continuing in some of the smaller hospitals. Some of the nursing homes that do not have such a high number of high level care could probably last for four or five more days. But the Hoyles - Escasoni Complex with about 400 residents have informed Government that they do not believe they can cope for another twenty-four hours.

This morning the nurses who were required to report for work at 8:00 o'clock, some of them have reported at 7:30, no doubt they were anxious to get in, if they had to spend an extra half hour they would do it. They went up to the picket line and they were not allowed to cross. They were driven back, some of them went to the Holiday Inn and they waited, and they were not allowed in until sharp at 8:00, right to the letter of the law, and they were allowed in.

Last night some management staff from the Department of Health voluntarily went down to work. The van in which they were riding was attacked, the sides of the van were struck and during the night

the tires were slashed. Mr. Speaker, as this motion points out there is indeed a State of Emergency within the health care system in this Province today. That State of Emergency is brought on because this strike is in place, and because there is no Essential Services Agreement in place, therefore, I call upon all members on both sides of this House, if they have any grave concern for the well-being of the victims of this strike, the people who are residents in the Hoyles - Escasoni, and the people who are in the nursing homes today, may very well indeed support this motion.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Member for St. John's East.

Ms Duff: Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms Duff: I would just say to the Minister of Health that I would agree with him entirely that this is no laughing matter, and that nobody on this side of the House is laughing. In fact, it is a matter which gravely concerned our caucus and caused all of us to be in this building an hour earlier this morning, even though all of us are brutally tired because of the discussions on Meech Lake.

I am rising to speak on this issue as Health critic, and I have no desire to say or do anything which will inflame or in any way make more difficult an already difficult and volatile situation. I am desperately worried because my concern as health critic and my knowledge in the field of health, not in labour negotiations, that is not any area of expertise, has

to be for the discomfort and the danger to the sick and elderly who are, in fact, hostages to this situation. I have great concern, and I would say the Minister of Health probably has more recent and in-depth knowledge of what is going on because Government is the group who are dealing with the situation in an intimate way. My knowledge comes from the outside. I think I have some good sources but it is not going to be as up-to-date or as in-depth as the Minister of Health. I am very concerned with what I understand to be a failure to reach that Essential Services Agreement in this sector. I am not casting blame but I have been told, and I have to say, I have been told, because obviously I am not at the table, that the essential services agreed to by the union fell far short of any reasonable definition of minimum requirements, and that does concern me.

I would think that had the Government bargained in good faith, and paid more attention to the workers from the X - ray and Lab workers unions, which the Minister of Health has referred to as the civilized strike. I do not think any strike in the health care sector is civilized. Perhaps the workers in this bargaining unit would have had more faith in the Government and maybe would have acted differently, but I think they have seen that when you are civilized in a strike, when you do negotiate in good faith, when you do agree at some cost to yourself to put essential workers in place, what you do is you end up staying on the street. I would disagree with the Minister of Health when he calls this situation civilized. If we had not been involved in the Meech discussion there were numerous

questions I wanted to ask the Minister related to the progress of the X ray and Lab technicians strike action. I think these workers can be referred to as the forgotten group, and because they have acted in good faith in the essential workers, I do not think that it has been fair to treat them in that way. I totally disagree that this strike has not now reached dangerous proportions in terms of health and safety. I know, as of the end of last week, that a survey of physicians in this town indicated that at least thirty patients awaiting surgery, urgent surgery, and I am talking about people who have a desperate requirement for bypass surgery and have been diagnosed with cancer, are lying in hospital beds unable to have that surgery because of the X-ray and Lab strike, even with the essential workers in place, so we were already in a crisis before this particular strike occurred.

Nobody knows better than the workers in the health care sector how vulnerable are the people they serve or how essential their services are. I will not get into this argument and lay blame anywhere, because when there is a failure of the collective bargaining process as we see today, I think it is far more complicated than to say, you are at fault, or you are at fault. I do know that the Government cannot shirk its responsibility, because it had to be able to anticipate that there would be labour unrest in this sector this summer. Mr. March is not a quiet man and he made that very obvious months ago. It has been a source of great concern to people within the health care sector that in fact this situation could occur, and is largely related to the failure of

Government to deal with the report, or the review of this legislation, and the draft of new legislation that was handed to them as soon as they took office fourteen months ago, and for that I find the Government criminally negligent.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Minister of Social Services.

Mr. Efford: Thank you, Mr. Speaker.

Mr. Speaker, the resolution that was introduced in the House of Assembly last evening by the President of Treasury Board, I would suspect, I would not suspect but I would say definitely, that it was a resolution that was introduced not at a great ease by the President of Treasury Board, or by anybody on this particular side of the House of Assembly. I want to speak for my own position and my responsibility as Minister of Social Services and the institutions that are affected by this strike and the situation that is taking place.

I want to say at the outset, and I have no doubt there are a number of workers in the gallery who are affected by the strike. I want to tell them that I have a great respect for people, and for people's rights to have the opportunity to voice their opinion and their discontent, and that they are not satisfied with government, or with governments, with their wages, or whatever. Nobody should ever take that respect and that right away from people. That is one part of our democracy that we all, and we all should give everybody respect, and be proud that we are living in a

democracy where that is allowed. I have no doubt, as Minister of Social Services, if I were not in this position today and I were a worker in those services, as they are, I would probably, and I have no doubt, I would not probably, I would do the same thing that they are doing. Because you have to fight and you have to fight for your rights. But then it comes down to a little bit more than that, it is not just a matter of your rights and your wages and your working conditions. It is what the effect is having on other peoples. And it is difficult for Governments regardless of your political stripes. I was in opposition when the former Administration had to take a difficult stand. And I did my job as an opposition member. I rose in the House of Assembly and I spoke, probably more so than the members that have already spoke this morning. But it is not -

An Hon. Member: You don't remember that.

Mr. Efford: I do remember that. I had a role to play as an opposition member, and so do you have a role to play as an opposition member. I think oppositions are important to the democracy system. I do not agree with any Government having total control and no criticism. I think it makes for good Government. But then it goes much, much deeper, and I have realized that more and more over the last two or three days.

And I can talk, in particular, about the developmental group homes, that I am responsible for as Minister of Social Services. And I have to go beyond just being John Efford the individual, with his own individual thoughts, and

his ways when he operated in his former capacity in business, and as an individual outside of Government. I am now the Minister of Social Services. And I am more aware of the responsibilities contained by that office and to the individuals that are affected and being cared for by the Department. And in the developmentally delayed group homes we have a number of residents who were born with a development delayed or a disability, through no fault of their own. And I am not laying the responsibility because they were born that way or because they are in that way, on the workers who are out on strike. It is not their fault. It is not their doing. And I have great respect, and I want to take the opportunity to say this now, for the caring and the care that they have shown, in their capacity in working in those group homes to the individuals. And I think it was very, very evident when they decided to go out on strike just two days ago, how important a role they play in the lives of those people. Because there has been a unity built up between the workers and between the residents. And you have to understand - and I am sure most members on the other side do, especially the former Minister of Social Services - you have to understand the mentality of the residents of the home. They were born with that unfortunate disability.

And those people who are working in those developmentally delayed group homes have a great understanding and caring and professionalism, in how to deal with that. And Mr. Speaker, when that transition took place a couple of days ago; when they decided to go out on strike, and

we, and I as a Minister, had to move in the management staff, there was a great disturbance in the minds of those individuals, those residents who are so attached to those workers. What happened? A trauma was set in. Their whole life was disrupted and consequently we have had major problems. I am not going to identify and go right into the gory details of what has taken place, but there have been problems in the group home. The one particular one right here in St. John's, and I am referring to. There have been a number of incidences that we have had to do things beyond the normal thing. I would prefer and pray to god that I would not have had to do that. And I think asking, or legislating the essential workers back to those homes, is not done because we enjoy doing it. It is not done because we want to do it. We have a responsibility. We have to be conscientious. We have to be caring for the individuals.

Are we doing it to take rights away from people? Would we do it, if we were talking about the manufacturing of rubber tires or processing fish? Would we force these people to go back to work, just to get them off the streets, off the picket lines? No. That is not the issue. It comes down to the issue of the people who are affected. The people who are suffering because of it. The Member for St. John's East said she was not going to lay blame. Probably we should take some of the blame. I am not going to say that we should not. Probably she should point a finger. I would if I were over there. So I am not going to be a hypocritical person on this side and say that we should not take some of the blame. But that is not going to

solve the problem that we are faced with today.

We had yesterday to take one of the residents and bring them to another institution, who had caused some injury to herself and very nearly caused major injury, serious injury I should say, to the people who are working there. Now I did not want to do or make the decision I had to make yesterday but, nevertheless, for the best interests of the residents and the best interests of the workers, I had to make that decision. But it was done. If we have some of the workers back into that particular group home, then we could at least live with some ease. That is not going to say that if they go back to work they are not going to get their rights. That they are not going to be bargaining, that this process is not going to go on. I am sure the President of Treasury Board will address that when he stands up. We are not taking anything away. The process will continue. You may snicker, sure, but that is not the point.

The important thing is that we are responsible for the concern, the health and the well-being - as the Minister of Health has expressed - and as Minister of Social Services I have to express, I have to inform, I do not have to tell the people who are on strike who work there because they know, and I must say that the strikers at this particular group home, I have a lot of respect for the way in which they are carrying out their picket lines down there. They are showing great co-operation and great concern. I have had no criticism for what they are doing on those particular pickets down there whatsoever, on those lines. No, I cannot say anything negative

about it. My staff, and the information that is passed along to me, is nothing but high praise for them. But nevertheless, Mr. Speaker, there is a concern that we must follow. I only hope everybody can have some compassion and understanding for what is taking place and the process that must take place.

In conclusion, Mr. Speaker, I must say that what is now a process I am sure the community at large - at the same time I would hope after the concerns are met with the residents of the group homes and the residents of the boys home who are also affected, and I do not want to go on because I would be only repeating the same thing over, that both parties can come and negotiate and settle their differences in a manner in which nobody's lives will be affected by it.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Opposition Leader.

Mr. Rideout: Thank you very much, Mr. Speaker.

I cannot help but wonder as I sit here this morning and listen to this debate, that only fourteen months ago this Government, the new Government seeking a mandate from the people of this Province, promised a new era of labour relations, a new era of labour peace, Mr. Speaker, particularly in the public sector. That sector for which the Government is directly responsible. I cannot help but wonder, Mr. Speaker, here this morning, this real change of new labour relations, a new dawn, a new day for dealing with the public service of this Province, is now withering and dying on the

vine for what it was, just rhetoric, Mr. Speaker. The evidence is here today.

Now, Mr. Speaker, unfortunately this is a no-win situation for anyone involved. We have a group of workers who for the first time, so I have been told in this particular circumstances this particular group, the very first time they have chosen to use the weapon they have a right to use under the collective bargaining laws of this Province. We also, Mr. Speaker, on the other hand have the sick, the handicapped, the disabled, and those who cannot help themselves, who must have essential services. I do not think there is anybody in this Province including the workers themselves who would disagree with that. But the real culprit here, Mr. Speaker, the real negligence must lay squarely on the shoulders of the Government.

This Government had ample opportunity over a fourteen month period, over three sessions of the House, last spring, last fall, and again since March of this year, this Government had ample opportunity to pick up the draft legislation that was suppose to provide for essential workers that came out of a Government/Union agreement that settled a strike in this Province before, Mr. Speaker. The point is that the Government had ample opportunity over a fourteen month period, knowing that contracts were expiring all over the place, knowing all of that the Government had a responsibility and ample opportunity to move before today, to move before it was too late, to move in conjunction with the labour leaders and the labour movement as they promised to them during the last election campaign,

Mr. Speaker. But that opportunity is now gone past. The window of opportunity has passed, and what we see here today is the Government having to use the heavy arm of the law, the heavy arm of the Legislature to provide essential services, as the Minister of Social Services said in his remarks, Mr. Speaker. This bill or this resolution is sending everybody back to work, this kills the strike, Mr. Speaker, this is not providing essential services which we all agree have to be provided, this is the end of the bargaining process. Those people now will have to go back to work and an arbitrator will make a decision, whether the Government likes it or the workers like it, it will be binding. This kills the strike, Mr. Speaker. It does not only provide essential services, it kills the collective bargaining process.

So, Mr. Speaker, it is not with any great degree of pride that we have to debate this resolution today. And it is not enough, Mr. Speaker, for the President of Treasury Board, in closing the debate on this resolution, to attack what happened three or four years ago or to attack Bill 59, that is not enough. That is not going to fly any more, Mr. Speaker. We paid our price, if we made a mistake, Mr. Speaker, which we did, we paid our price.

Some Hon. Members: Hear, hear!

Mr. Rideout: We are no longer the Government. Members on the other side are the Government, and they will be judged, Mr. Speaker, by workers to whom they held the olive branch fourteen months ago, by their performance today by their performance tomorrow, by their performance this fall, when

the NTA negotiations resume, and so on. They are the Government. They are the ones who must be judged and they are the ones who will be judged.

And finally, Mr. Speaker, I want to say this. At this most crucial moment for workers and for the sick and the old and the disabled in this Province, where is the Leader of the Government? Is he going to say a word or so in this debate? I mean, is there nothing else in Newfoundland and Labrador, but Meech Lake?

Some Hon. Members: Hear, hear!

Mr. Rideout: Is there anything else important? The desperate situation we have on our hands here this morning or in the fishery or in the economy, where is the Leader of the Government? And what are his views on the commitment and on the olive branch that he held out to this group who are here today, and to other groups who are similarly affected when we are using the heavy arm of the Legislature, Mr. Speaker, to kill their collective bargaining rights?

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the President of Treasury Board.

Mr. Baker: Thank you, Mr. Speaker.

I would like to very quickly deal with some of the points that have been mentioned by the Opposition Members. First of all, Bill 59, right now the new labour legislation which was drafted in co-operation with labour, which was put together with the input of a lot of people, is now at the stage where it is with the Committee system.

During the rest of the summer months, this bill will be subject to public hearings, will be subject to comments and criticism, and this is part of the consultative process. We want to make sure that when that piece of legislation comes into the House, and it will this fall, it has been properly examined, not only by Opposition members, not only by NAPE, but by all other labour organizations and groups in this Province who are interested in the collective bargaining process and in that legislation.

So, Mr. Speaker, our labour legislation has been developed and is still in the legislative process of development right now. It will be brought in in the fall, and at that point we will have a piece of legislation that I hope will be better than anything we have ever had before.

The other comment I would like to specifically address, and I did not intend to do this, but there was a charge of criminal negligence directed towards me by the Member for St. John's East, and I feel I should address that, at least partially, if I can do so without inflaming an already inflamed situation. I would like to say to the Member for St. John's East and to everybody else that there have been many attempts to get an essential services agreement; there have been many attempts by Government and by me, personally, to get an essential services agreement; there have been many attempts by individual institutions in the Province to get essential services agreements. And not last minute attempts either, I might add, going back quite some time. We have not been negligent, I want to say, in terms of what we have

tried to do with regards to essential services. We have not been negligent, and I would be quite happy, sometime later this morning, to sit down with the Member for St. John's East and go over and outline in great detail exactly what attempts have been made, if she wants to satisfy herself.

So attempts have been made. And I am not, at this point in time, ascribing blame, but attempts have been made, serious attempts over a long period of time, to have essential services agreements in place. For whatever reason they are not there, and I regret that. There has been a lot of misinformation floating around and I alluded to that when I introduced the resolution. There have been a lot of things said that perhaps should not have been said, that unnecessarily inflamed a situation that maybe not have been inflamed. And I think as this process goes on it may, at some point in time, become obvious. But I regret that we have reached this point in time. And we have reached this point, not because of any lack of effort or concern on the part of this Government.

A situation has developed and, unfortunately, it has developed to the extent that we must have the services provided to the people - we must! It is no longer at the stage where we have days and weeks before we have to do something, we must provide those services. And I suspect there is a concern for providing those services, not only on the part of Government, but also on the part of the workers. I think there is probably concern on both sides that things are happening now that should not be happening, and the whole situation

has perhaps gone a little too far. The workers will have the binding arbitration. They will have a settlement. They will have a settlement, I can advise hon. members; I am assuming, they will have a settlement that will ensure that they are above average in terms of Atlantic Canada in their pay scale. And how I know it, Mr. Speaker, is simply because with our last offer, they would be above average in Atlantic Canada.

Mr. Speaker: Order, please!

I would point out to members in the gallery that there is supposed to be no responses in any way. Thank you.

The hon. the President of Treasury Board.

Mr. Baker: Mr. Speaker, that case will be made. There are two sides to every story - there are two sides to every story.

Mr. Speaker, in concluding I would like to read a paragraph I left out deliberately the first time I quoted from the letter from the Newfoundland Hospital and Nursing Homes Association, the last paragraph of their letter which says: 'It is with deep regret that we make this request' - the request that services be provided - 'given our long-standing position on the right to strike as prescribed by the current legislation. However, our concern for the health and safety of the public we serve leaves us with no other alternative but to request this action'. They had no other alternative but to request this action, I have no other alternative but to request this House to pass the resolution now before it for the health and safety of the members of the

general public. Thank you, Mr. Speaker.

Mr. Speaker: Is the House ready for the question? Is it the pleasure of the House to adopt the motion? Those in favour please say 'aye'.

Some Hon. Members: Aye.

Mr. Speaker: Those against please say 'nay'.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion, the 'ayes' have it.

The hon. the President of Treasury Board.

Mr. Baker: The first motion 3 on the Order Paper.

Mr. Speaker: The first motion 3.

The hon. the Opposition House Leader for a question.

Mr. Simms: Mr. Speaker, I was just wondering, might we take a five minute recess?

Mr. Speaker: A good idea.

Mr. Simms: Because, obviously, we are changing into a different mode here and the cameras, I believe, have to be reset and everything like that, it might be appropriate. We would certainly be prepared to agree.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Yes, Mr. Speaker, I think we really should. The lights need five minutes to warm up, so if we could have a five minute recess before we proceed with the second order, motion 3.

Mr. Speaker: The House is recessed for approximately five minutes.

Recess

Mr. Speaker: The House will now come to order, please!

Before recognizing the Member for Pleasantville who adjourned the debate last evening, I want to make a correction. This morning when I was talking about a person retiring from the news media, actually I was right in the person who was retiring, but there are a couple of others. I want to again, on behalf of hon. members, pay tribute to Joe Halleran. He is the dean of the TV in Newfoundland, and he has served for thirty-four years. He is operating the camera in the middle here. Also retiring today is Brian Johnston and the person I mentioned earlier this morning, John O'Brien. I believe he retires on Wednesday. I am sure all hon. members would want to wish these people well.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Pleasantville.

Mr. Noel: Sir, I would like, also, to add my best wishes to these gentlemen in their retirement.

I finished up last night making the case, to some extent, for the degree to which the people of Newfoundland pay their way as Canadians, the extent to which we earn the standard of living we enjoy. Many Canadians do not understand that. And they do not understand that our people want

only the standard of living we can earn, that we just want to be part of a system that will enable us to earn the standard of which we are capable.

Some Hon. Members: Hear, hear!

Mr. Noel: And we are capable of earning a standard of living far above the one we presently enjoy.

Now there are some people who do not understand that, Mr. Speaker, one being the chief idiot in residence in the House of Commons in Ottawa. I have a copy of a press release here indicating that 'Manitoba and Newfoundland will face economic consequences if they fail to pass the Meech Lake Accord by this weekend's deadline', the Chairman of the powerful House of Commons finance committee said Thursday. 'Manitoba and Newfoundland have more at stake in national unity than their populations seem to believe, Don Blenkarn told reporters after a speech to the Confederation Club in Kitchener. 'If the Accord isn't passed, there could be a serious impact on the country's economy. And 'both provinces depend on heavy transfer payments from the Federal Government.' He says, and he is quoted here, 'Sometimes, looking at the costs of carrying other parts of the country, Newfoundland for example, I sometimes feel we would be better off if we towed it out to sea and sank it.

An Hon. Member: That is a Tory.

Some Hon. Members: Shame! Shame! Terrible!

Mr. Noel: Now that is kind of understanding we have in Ottawa, and the kind of appreciation of the way this country operates.

An Hon. Member: That is only one man's opinion.

Mr. Noel: It is not one man's opinion. We know it is not one man's opinion. We know it is the opinion of the gentleman the Prime Minister set up to go across this country to sell his GST. That is the gentleman we are talking about, a gentleman who should realize that if there was no Canada, I doubt that there would be any motor vehicles built in Ontario.

I believe that many central Canadians do not understand, but I don't know if I have ever come across many of them who admit the extent to which they profit from Confederation. Ten years ago, I did some work indicating to me that every resident of Ontario profited to the extent of \$1,000 per year from their trade with the other provinces, and that would probably be up to \$3,000 or \$4,000 today.

But there are some people who understand that. Former Finance Minister, Donald MacDonald, said a few years ago, 'consumers in regions with little industry protected by the tariff, subsidized producers in regions with substantial amounts of industry which is protected. The tariff has clearly been a source of significant subsidy to both Quebec and Ontario. Simon Reisman, the former Deputy Minister of Finance, said most of Quebec's secondary industry depends heavily on the highly protected Canadian market.

Sir, I have figures indicating that annually Newfoundlanders subsidize to the profit Quebec is making on the sale of Upper Churchill Power. Newfoundlanders

subsidize Quebecers to the extent of \$1,000 per Newfoundlander. That is a subsidy of \$100 to every Quebecer per year through our resources, the export and exploitation of the resources of the people of Newfoundland and Labrador.

Many of the benefits we have today which are attributed to Confederation, have been made possible by the debt that we have accumulated and the debt we are responsible for. When we became Canadians, we had a Government cash surplus of \$40 million. Today, we are responsible for a debt of between \$15 billion and \$20 billion dollars, I would estimate, in addition to all of the tax dollars we have sent to Ottawa, to all of the tax dollars sent to Ottawa by companies in Ontario and Quebec made as profits on their sales to the captive market they have in Newfoundland and the other small Provinces of this country.

Everything we consume in this country, Mr. Speaker, we could buy cheaper outside Canada, and I have been accused of being a separatist for pointing that out. I make no apologies for pointing out the extent to which the people of Newfoundland and Labrador pay their way in this country. And that is not to advocate separatism, because separatism is irrational in today's world. Nobody can be a separatist in today's world, you have to deal with other people. That is what you have to do. What you have to do is work out trading relationships that best suit you. That is what other people are endeavoring to do, and that is what Quebec is endeavoring to do.

Fortunately, Quebec has this need

to be understood, this real cultural and linguistic problem they have, but it is a very convenient package in which to enclose their own self-interest, the self-interest that they are pursuing in this country. Ontario is the greatest beneficiary of Confederation and Quebec is the second greatest beneficiary of Confederation, and for that reason, I think those people who think if we decide to drag Meech Lake out to sea and sink it, if we decide to do that, I think it is highly unlikely that we are going to see Quebec leave Canada. But there has to be substantial change in Canada and we may as well accept that. And that is why I do not think we should pass the Meech Lake Accord. It is only a band-aid for dealing with the problems we have in this country.

Some Hon. Members: Hear, hear!

Mr. Noel: What the Prime Minister should do now is call a constitutional convention so that Canadians from right across this country can get together and put together a complete package that will, insofar as possible, satisfy the needs of the people in all the regions and all the provinces of this country, and that will mean a different Canada. I am convinced that Quebec will not be satisfied until it has more political and cultural autonomy one way or the other, whether Meech Lake passes or whether it does not pass. We may as well accept that reality and work out relationships to the satisfaction of the Quebec people and to the satisfaction of Newfoundlanders and of other Canadians.

The world is changing, and the world has changed a lot since Canada was born. And we have to

realize that the country we have today is not perfect and may not be the most desirable structure for the years ahead, so let us get all Canadians together and work out a package that satisfies the aboriginals, satisfies the women in the country who have some concerns about the Accord, satisfies people who have concerns about the Distinct Society Clause, and satisfies the smaller provinces who have to have more say in the way the national government of this country is run if we are to have an equal share of the benefits of Confederation.

As I said last night, Sir, my first commitment is to our Province and the people who elected me, and that is why I oppose the Meech Lake Accord. We have had Premiers from several other provinces, and we have had a Prime Minister come down here and try to persuade us to pass this Accord for Quebec's sake. Now, I am all for doing what I can to accommodate other people, but I want my people accommodated as well. When this country is prepared to deal with the needs of our Province, I would be the easiest person in the world to deal with the needs that other people have. But until that happens, I have not been elected to enable people in other parts of this country to get what they want for their people at the expense of Newfoundlanders and Labradorians.

Now I realize there may be some basis for the concerns and the fearmongering that Mr. Blenkarn is promoting, but the real concerns about what might happen if Meech Lake is defeated. There are people in my District that have those concerns, and people in this city and the Province, and I am sure all members of this House

have some concerns, and I respect the members who may well vote against what appears to be the will of their constituents, because they think that those concerns are a significant reason for doing so. I respect that. And who knows what basis there may be for such concerns. Things can happen quickly in the business world, interest rates can go up if this is defeated, and next weekend in Quebec Mr. Bourassa announces that he is giving up on Federalism and there is economy instability and interest rates go up and the dollar goes down, Mr. Mulroney says that in view of the instability, he can no longer continue to guarantee the Hibernia agreement, things like that can happen. I think the likelihood of it happening is exaggerated, but who knows? And that is something on which every member will have to make his own decision.

But throughout my adult life Canada has been trying to accommodate Quebec, and every time is a crucial time. The Prime Minister told us in this House yesterday that we should show understanding for Premier Bourassa in this crucial time. The quiet revolution in the 1960s was a crucial time. The time of the referendum in 1980 was a crucial time, when Mr. Levesque was elected was a crucial time, every time we are dealing with national issues in this country it is a crucial time for Quebec. Well, Mr. Speaker, this is a crucial time for Newfoundland.

Some Hon. Members: Hear, hear!

Mr. Noel: Our people are not well off, and particularly this year we have many economic problems. I think the first time I spoke in this House I quoted Mr. Bourassa

talking about the humiliation of Quebecers, because they have problems fulfilling their cultural and linguistic aspirations,, and I sympathize with that, but not as much as I sympathize with the humility of Newfoundlanders who have inadequate standards of living, and who suffer the indignity of not being able to earn a standard of living to which they aspire, and to which our talents and our resources should enable us to achieve.

Now, Mr. Speaker, I would like to thank my constituents for helping me over the past week in trying to deal with this issue. I have been in contact with a lot of them, and without citing the details of the polls, three-quarters of the people in my District are against the Meech Lake Accord, three-quarters of the people I have had contact with, and I believe that is a pretty realistic figure.

Now we have gotten into this free vote as a substitute for a referendum, our people were led to believe that we would have a referendum if we had time, and the other provinces and the National Government prevented that, or at least it did not happen. Maybe we had a role in preventing it as well, I suppose, to some extent, we were part of the process, but it never happened. So essentially the vote that is going to take place here today is a substitute for a referendum. Well if there was a referendum in this Province today I have little doubt of which way it would go. Now I sympathize with members who say that a member should not follow his constituents wishes all of the time, if he has some serious doubts about what they want. I do not have serious doubts about what my constituents

want. And the number of them who want it is so overwhelming that I would have to have very serious doubts in order to persuade me to vote in a way opposite to what they have indicated.

But I also share their opinion in this matter, Mr. Speaker. I think the Meech Lake Accord is seriously flawed. I think it is not good for our Province, it is not good for this country.

I think that if this Legislature defeats the Accord, it will be evidence of our commitment to Canada. We want to do what is right for Canada. We want to help Canada get the package right before we do things which cannot be changed, and if we pass Meech Lake, we will do things that cannot be changed without the agreement of all provinces in this country, and we know how difficult that will be to get.

I think, if we reject this Accord, we will be demonstrating our confidence in the people of Canada and our trust. In spite of the warnings and concerns we have about the economic consequences, I think many Newfoundlanders, many members of this House, are willing to do what they think is right, because they believe the people of Canada are not so petty, are not so low. They believe the people of Canada will respect our right to make the decision that we feel is right, without imposing economic reparations on this Province.

So, Mr. Speaker, in my view, rejection of this Accord will be a vote of confidence in our country and in the people of our country, and will be the way to ensure that we will finally begin to develop a constitution in this country that

will serve the needs of all the provinces, all of the regions, all of the ethnic groups, and all of the people who want the kind of constitution that we can all be most happy with. Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. the Minister of Forestry and Agriculture.

Some Hon. Members: Hear, hear!

Mr. Flight: Thank you, Mr. Speaker.

Mr. Speaker, I first want to join with the rest of my colleagues from both sides of the House who, on rising, indicated they felt a heavy responsibility, felt that they were probably taking part in one of the most historic debates that have taken place in this House of Assembly since 1949 and probably will ever take part in again. It is in that atmosphere, Mr. Speaker, I say to you, I come to the debate with a sense of responsibility, in awe, in a sense, of the occasion.

Some say, Mr. Speaker, we are debating the future of Canada. Some others say that the debate is as important as, or more important than the debate that brought us into Confederation. And, under those circumstances, Mr. Speaker, I feel humbled and honoured and, as I said, somewhat awed, to be taking part in what will turn out to be such an historic and important debate.

Mr. Speaker, what I have to say first is I cannot believe that I am taking part in this debate. There is probably not a person alive in Canada today who would have believed six months ago that it would come down to this, that

the House of Assembly in Newfoundland or Manitoba would decide the future of the Meech Lake Accord. And here is why, Mr. Speaker.

In June of 1987, when the First Ministers and the Prime Minister met in Canada and forged a constitution, for the first year there was very little debate in the country. There was the odd-voice in British Columbia, the odd-voice in Nova Scotia, the odd-voice somewhere, saying, this Accord is wrong, that it gives special privileges, special powers to certain parts of the country. But, in fairness, it was, by and large, a non-issue. And then, Mr. Speaker, in the second year of the three years, more and more people, as they began to understand more and more, started to raise questions about the Meech Lake Accord.

Then, last November, there was the First Ministers' Conference, and we all remember that First Ministers' Conference. Mr. Speaker, our Premier entered the debate as the Premier of this Province, as a First Minister, and from that point on, across this country, overwhelmingly, lawyers, scholars, ordinary people, sent the message to their First Ministers. And, Mr. Speaker, the reason I am surprised that it has come down to this, is that I cannot believe that those same First Ministers went back to Ottawa and decided to force the Meech Lake Accord like it was, that they ignored completely and totally the opinion coming from across this country. Mr. Speaker, that, in my mind, was denying the people of this country a say in their constitution. It was not possible in my mind that could happen, Mr. Speaker.

It has been said many times and I will not make it any more real, but a constitution is for people. The First Ministers of this country knew that the people wanted to have a say and I could not believe they would go to Ottawa and insist on ignoring the will of the people of this country, and not permit any accommodation, any consideration from anywhere to effect their decision on the Accord. As I have said, Mr. Speaker, that is a denial of the people's right to have a voice in the constitution. So it has come down to this, and I doubt that there is a Canadian who would have believed that any one Legislature would have been given the responsibility of deciding the acceptance or rejection of the Accord.

Mr. Speaker, what I am hearing and seeing in this debate has a lot in common with what the Prime Minister and what the First Ministers did in Ottawa. Mr. Speaker, this Province wanted a referendum, that was our choice a referendum. We requested a referendum. We were denied the right to have a referendum.

Now, Mr. Speaker, I understand why we were denied the right. I understand why the Prime Minister with other Ministers denied Newfoundland the right because they knew, as sure as they were in Ottawa, that a referendum in Canada in Newfoundland would reject the Meech Lake Accord by an overwhelming majority. So, if you think like the Prime Minister and if you think like the people who are supporting the Meech Lake Accord on that particular issue, then you understand and I accept that. But Mr. Speaker, we decided to do the next best thing. We decided that we would allow the

people in this Province to have a say as to whether or not they wanted the Meech Lake Accord rejected or accepted.

Mr. Speaker, we undertook the next best thing. For every member in the House of Assembly the means was made available to go out and talk to the people, have the people tell you how they feel about the Accord, and whether they wanted it voted for or rejected.

Mr. Speaker, as an MHA I had a choice. I had an option. If I believed I should vote one way or another to either accept or reject the Meech Lake Accord, if my conscience told me it was right to vote one way or the other then I had an option. I could have stayed in St. John's, Mr. Speaker, then when I voted one way or the other the only concern I would have had, was my constituents would have had the right to accuse me of not consulting, not coming and asking their views. I could have lived with that. But, Mr. Speaker, having started the process and committed myself to go back to my district and poll the people and talk to the people and ask them how they wanted me to vote, to accept or reject, having settled that process then Mr. Speaker, I feel I would have no choice but to vote the way the people of Windsor - Buchans indicated for me to vote.

In my particular case, Mr. Speaker, I have been elected four times, almost five, but four times. Mr. Speaker anybody who thinks that I am going to break faith, Mr. Speaker, or break the trust that has built up over the best part of those fifteen years by going out and going through a charade, I mean that is the most

offensive insult I have ever heard. Going out and going through a charade and asking people for five days, I spent five days, Mr. Speaker, in front of every possible constituent I could get my hands on, and I went farther than that, I realized I would not be able to speak to the majority and I did not speak to the majority, but we initiated the way that the majority opinion could have been gotten of the people in my District.

Mr. Speaker, overwhelmingly they told me what they wanted. Mr. Speaker, I feel honor bound, however I feel personally about this Meech Lake Accord, when I know and every member of this House of Assembly knows that this is a constitution. This will decide Newfoundland's rights and future in this country. This is not, as one member in a debate indicated, Bill 53. This is the Constitution, Mr. Speaker. And I believe that people have a right, an undeniable right to speak in this, Mr. Speaker. This is a democracy, and to do otherwise and to reflect the wishes of the people, whether it is for or against, in this particular vote and this particular debate is denying them their constitutional right. Denying them their democratic right to have a say in this issue, Mr. Speaker. It no longer remains a democracy, it may well become a collective dictatorship but it is certainly not a democracy. And Mr. Speaker I feel honour bound and I believe that every member in this House of Assembly who took it on himself or herself to determine how his constituents wish him to vote is honour bound to vote that way.

Mr. Speaker, I keep hearing that Newfoundlanders do not understand

the Meech Lake Accord. They don't know what they are talking about. Well, Mr. Speaker, there was another debate, and a great historic debate, in this country once. It was during 1948-49, when we were debating and eventually voting on the issue of to join Canada or not to join Canada. And I have read a lot about that debate. And there was a lot written about how the people, how the poor people - and remember we did not have the communications we have today, we did not have the ability to get into every home and every house and preach the benefits one way or another. And the people, depending on what side of the debate they were on, saying; oh well, Newfoundlanders, the poor fishermen out in the cold, they don't understand, how should they be expected to vote. Well, Mr. Speaker, every Newfoundlander alive today knows that they voted wisely. In the second referendum they voted for Confederation. In view of all the charges that Newfoundlanders did not know how to vote.

Mr. Speaker, let me tell you this about the people in Windsor - Buchans. I accept that the people of Windsor - Buchans, and most of the people I talked to did not understand the Accord. The legalities of the Accord. They did not understand how The Distinct Society Clause could override the Charter of Rights in Quebec or possibly outside of Quebec. They do not understand the amending formula, whether it should be unanimity or whether it should be seven and fifty. They did not understand really the veto and how the veto is used and when it can be used and when it cannot be used. Not only do the people of Windsor - Buchans not understand that, Mr. Speaker, 99

per cent of Canada do not understand that. But I tell you what the people I talked to in this Province and in Windsor - Buchans do understand; they know right from wrong.

Some Hon. Members: Hear, hear!

Mr. Flight: They understand fairness. They understand something that is fair or not fair. That is just or unjust. And I do not intend to listen anymore, Mr. Speaker, to people who say the people don't understand. The people don't understand so I have to take it on myself now to go vote because the people don't understand. The people's understanding of the Meech Lake Accord and the legalities of the Meech Lake Accord is transcended by their perfect understanding of what is right or what is wrong, Mr. Speaker. And the people of Windsor - Buchans and practically every other Newfoundlander I have spoken to -

Some Hon. Members: Hear, hear!

Mr. Flight: - has said this is wrong. It is the process, it is the way it is done. They do not believe people should be manipulated. They do not believe people should be beat into submission. They do not believe that people should be forced to capitulate. It was wrong. And Mr. Speaker, when I was advised to vote whatever way I was advised to vote; to vote for or against, when I was advised to vote against, Mr. Speaker, I had no doubt in my mind and I did not believe it was incumbent on me to ask the question, do you understand the veto? Do you understand The Distinct Society Clause. No, Mr. Speaker, they understood what

needs to be understood, when you are voting for a Constitution. When you are voting for something that will determine your right and your position in a country. So Mr. Speaker, I am not going to pay much attention any more to people who say; Newfoundlanders don't understand. They understand, Mr. Speaker.

And let me tell you, if ever anything backfired on a Prime Minister in his lifetime, it was that seven-day dinner meeting, Mr. Speaker, because I suspect that all across Newfoundland and all across my District and maybe all across Canada, people would have, prior to that dinner meeting probably voted to accept or reject Meech Lake, but in my District, that charade had a galvanizing effect, a galvanizing effect, Mr. Speaker. They saw what happened. They saw the manipulation. They saw the bluff. They saw what in effect became known in this country as lies and they want no part of it, and they don't intend to have any part of it. I say to every hon. member of this House, when he rises to vote, unless he stayed in this St. John's, unless he decided from day one that he was going to vote his conscience that he knew better than all his people. If he undertook to do a survey, then, Mr. Speaker, he would be well advised to vote according to what message he got in that district.

You know, I have also heard here about the consequences. We will live with the consequences. Well, I wonder what consequences certain members are talking about. Is it the consequences of the next election they are talking about, because that is not important. I would prefer to live with the consequences of that than live the

rest of my life knowing that I sold out, that I broke the faith, and I broke the trust of the people who sent me here five times.

I have heard it said that if we vote to reject the Meech Lake Accord, either the Prime Minister or one of the - I think maybe the Prime Minister, suggested that we would sit back six months from now or a year from now or five years from now and say if I had only voted the other way. Well, Mr. Speaker, that's a heavy responsibility and I might add that not one of the people with whom I spoke in Windsor-Buchans or in my travels to and from Windsor-Buchans, every person was concerned about this country. Every one. Every one expressed to me a desire and a willingness in wanting to keep Canada together, so the people who are saying vote against the Meech Lake Accord, in their humble opinions, may well have been saying vote for Canada, vote against the Meech Lake Accord. They want to stay in Canada, they want Canada to stay together, and they want Quebec to stay, so, Mr. Speaker, I have no doubt about the attitude of the people in this Province and what they want.

But, Mr. Speaker, in as far as my conscience, I have to wonder if the result of this vote was the unspeakable, were the eventual break of this country, then, I, surely, as one of the people who played a role, certainly that responsibility would bear very heavily on me, and I would probably take a heavy heart and heavy conscience to the grave, but I can tell you something else, Mr. Speaker, one doesn't how long it is given to one to be in this particular business, and I tell you that ten years from now, when

I am somewhere, Mr. Speaker, I don't want it on my conscience, if things aren't going right in this country, if because we rejected the Meech Lake Accord, if, because we allowed a flawed, a terribly flawed document that's good for some and not good for others, to be accepted, then I don't want to be sitting somewhere saying to myself, I could have changed that. I had it in my hands to change it.

One would have to decide where one would feel most comfortable, whether it would be a situation, where if, the unthinkable happens, I don't believe it will, but if it does, I don't know for certain, it won't, but if it does, then one would have to feel comfortable with what side of the argument one wanted to be on, whether the country is kept together by the kind of tactics we have seen, whether Newfoundland's rights are denied by the kind of tactics we have seen, and, Mr. Speaker, it has already been read when one sees something coming from Ottawa, this is the leadership, this is not just a fool in Ottawa as someone said across the House, or someone said down here, this is the Chairman of the Finance Committee in Ottawa, appointed by the hon. Prime Minister. This is the man, Mr. Speaker, that stopped having public hearings in Halifax on the GST tax because he said Newfoundlanders did not know enough to attend the hearings, and this is the kind of people that's affecting and pushing and demanding that the Meech Lake Accord be approved, unamended. Some concern for the people of Newfoundland, some concern, Mr. Speaker, for the people of Newfoundland's rights and our contribution to the country.

An Hon. Member: What did he say?

Mr. Flight: I won't be repetitious.

Some Hon. Members: Read it again.

Mr. Flight: For certain members, someone in the gallery, or the press, who might not have been in their seats when the thing was read I will just quote, apart from all the other derogatory comments he made, 'sometimes, looking at the cost of carrying other parts of the country, namely, Newfoundland, for example, I sometimes feel we would be better off if we towed it out to sea and sank it.' That is what Carstairs said in reply to a statement Mr. Mulroney made some years ago. For the sake of dramatics I will do the same thing with that.

Mr. Speaker, my time is fast running out. If I received a message as a member of this House of Assembly during this past six months, and leading up to this vote, it was to put Canada first, to put Newfoundland second and put Canada first. Well, finally, one day I said, what is Canada? What are we talking about here? Is Canada Newfoundland's rugged sea shore? Is it Peggy's Cove in Nova Scotia? Is it the great forests? The Miramichi of New Brunswick? Is it the great Quebec? Is it the great international city, Montreal? Is it Ontario, the economic heartland? Is it the prairies? Is it the Rocky Mountains? Is it Alberta? Or, is it people? I have always believed, Mr. Speaker, that Newfoundland is Newfoundlanders. It is the people that endured in the worst kind of circumstances for 400 years. That is Newfoundland. It is not the rot, the dirt, the beautiful lakes and

the beautiful rivers, it is the people, wherever they are in this country. So, Mr. Speaker, I said, well, if they want me to vote for Canada I will vote for Canada. I held polls, we all held polls, which show that 75 per cent of Canada, that is the high one, 75 per cent of the people of Canada wish to have the Meech Lake Accord rejected. You ask me how I am going to vote? I am going to vote for Canada, Mr. Speaker. I am going to vote for the people of Canada.

Mr. Speaker, my time has run out so I will end this debate. There are many things to be said and a lot would be repetitious after the debate we heard. A lot has been said far more eloquently, and will be said far more eloquently that I can say it, but I will end my speech by saying this to you. I read one time there was a very famous American politician who struggled many times with the kind of decision we are making here, and a very famous quote he made was, and this applies to everything, Mr. Speaker, 'You do the best you can, and then you stand.' Well, Mr. Speaker, I have done the best I can this past year to understand Meech Lake. I have done the best I can, given the tools that were available to me, to allow the people of my district to tell me how to vote, as they should have told me, and as they have a right to tell me, and I feel honour bound to reflect their wishes. Well, Mr. Speaker, in every way possible, in this particular debate, I have done the best I can, and when the vote is called this afternoon I will stand.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Port au Port.

Mr. Hodder: Thank you, Mr. Speaker.

Mr. Speaker, I do not intend to return debate across the House. I want to say a few words, and I want to say them for myself, for my district, for the Province, and for the country. I do want to say in response to some of the comments that have been made across the House, that this is not a debate that is about people who say intemperate things about Newfoundlanders. There are a great number of people on the Mainland who have said very good things about Newfoundlanders, about Newfoundland's Premier, about this Legislature, and about this debate, so I don't think it is right for members who take one particular point of view, to stand in this House of Assembly and use the words of some intemperate politician on the Mainland.

Mr. Speaker, I would suggest that when people use inflammatory language they should be ignored, but very often perhaps we can see somewhat what the Quebec people feel when English Canada wipes their feet in the flag or when English Canada makes some intemperate remark. We always feel that in Newfoundland when someone says something about us. We do not agree with it, none of us on this side agree with that kind of a comment. Mr. Speaker, I think I have said enough about that because it is not a matter worth talking about. I do resent it being used to inflame the debate. Because if you put it in perspective, Mr. Speaker, it does not mean anything. It is just the words of an intemperate bigot.

Mr. Speaker, this is one of the hardest decisions I have ever made. It is one of the hardest

times that I have had in fifteen years that I have been in this House of Assembly. I went to the District of Port au Port just briefly to tell hon. members something about that. When I arrived there, as hon. members know, we have no fish plant this year, but the day I arrived there the buyer had, or shortly before the buyer had stopped buying fish and fishermen were there standing on their beaches wringing their hands and I guess cursing fate, wondering what else could happen to them. They have had two storms this year. Ice had destroyed their lobster pots and shortened the lobster season. They had two storms where their gear had been destroyed.

Mr. Speaker, that first day I had a hard time talking to anybody about Meech Lake. I must say that I did visit most parts of my District on that very first day. I went from Blue Beach, which is at the tip of the Port au Port Peninsula, to Mainland, to the Cape and around the District. Mostly I talked to fishermen and nobody mentioned Meech Lake to me. In most cases, I did not mention it, because, Mr. Speaker, at that particular time nobody was very interested in constitutional debate, who were in that particular position.

Mr. Speaker, my telephone number has been published for the last year, two years, in the local paper, and my telephone number and my two home telephone numbers are published in the telephone book in my District. I can honestly say to you, I have had three letters, two were against and one was for. I have had four telephone calls. I also had a petition which was against. Mr. Speaker, some of those people who signed the

petition have since told me they felt the other way but I suspect that most of them would be against the Accord.

Mr. Speaker, there is a question that you have to ask yourself, when you are elected to represent a district are you elected to follow or are you elected to lead. I suggest, Mr. Speaker, that perhaps you are elected to do both. I think if a member is elected in a district and he thinks that something is right for his constituents, right for his Province and is right for his country, then I think he should do it for the betterment of his constituents.

Now, Mr. Speaker, in the long run, if he is right his constituents will elect him again or they will praise him for it. They might. They might not. Mr. Speaker, if he is wrong then he has to pay the political price, even sometimes if he is wrong his constituents will give him another chance if they believe he did it honestly. But, Mr. Speaker, that is the dilemma I have found myself in. Many of the Francophones in my District, I should say the Francophone Organizations are for the Meech Lake Accord. That does not say that all Francophones are for the Meech Lake Accord, but just that many of them are.

Mr. Speaker, the last time I stood on a free vote in this House, I stood during the flag debate. I think that was the last free vote taken in this House. At that time I voted against my own Party on the flag. That was a very difficult decision but not nearly as hard as this one, because I had a pretty good idea of what I was doing. But in this particular debate I have searched my soul.

I want to make sure that I am right. I have listened to both sides of the argument. But, Mr. Speaker, you know I represent a District that was part of French Newfoundland, the hon. the Member for Stephenville represents a District that was part of the French shore, and part of French Newfoundland, and both Stephenville and Kippens and the Port aux Port Peninsula were French speaking within living memory of some people who are alive today. And there are, if you look at the Stephenville phone book, you will see a lot of Whites who were one time Leblancs, and if you travel throughout the area you will find very few people who speak French, although some do in Stephenville. You find more in Kippens, but very few these days.

As you travel to the areas of the District which are most isolated and which had the worse roads, and I paved some of those roads and I wonder if I did the right thing, because it was due to lack of communication and transportation that the French language had survived. But that French language and culture, Mr. Speaker, was not like the French language and culture of Quebec. It was not like the French language and culture of St. Pierre and Miquelon or New Orleans or in New Brunswick. It was a distinctive Newfoundland culture. And, Mr. Speaker, it was different from anywhere else on earth. And today you can only find glimpses of what that language and culture was like, because most of it has died and that unique group of people who lived in Newfoundland are struggling to save what they have left. And sometimes you glimpse it in the music of the fiddle players and the singers and the stories of the old people, Mr.

Speaker, and sometimes in their local plays. But, Mr. Speaker, much of it is gone never to return. And from the experience of representing these people I can understand why Quebec has aspirations to keep their language and culture. They are surrounded in Canada by an English majority. And I think in terms of this debate in that way.

I know as well, Mr. Speaker, our only border is with Quebec, we are an Island and we are Labrador, it is our sister province. And, Mr. Speaker, there is a distrust in Quebec with Newfoundlanders. Because, Mr. Speaker, in 1927 there was a boundary dispute and Newfoundland won that dispute and many Quebecers almost to this day do not recognize that and many of their politicians, particularly around election time, sometimes play to that, although it is a secure boundary, but sometimes we in Newfoundland see maps from Quebec with no border in Quebec and we have all heard the uproar that happens at that time, but it is a historical fact. But think, Mr. Speaker, what would happen if we had lost that boundary dispute, how would we feel. And then there is the Churchill Falls deal, that Newfoundlanders think of, where we made a deal, a bargain, the same as if I was buying a house from you and we made a bargain, and that bargain was bad. Unconscionable yes, we would like to overturn it, but a deal was a deal. And, Mr. Speaker, I was in Churchill Falls in 1966 and in 1967, and in those days we did not have the vocational system that we have now, and many of our Newfoundlanders were untrained, and there was a great deal of resentment because of the fact that Quebecers had the better jobs. And I am not saying that

everything was all right, but there was resentment and there were reasons for it.

But, Mr. Speaker, I think we have to rise above that - history is history. I think one of the columnists in The Globe and Mail the other day said that Canada is paying its price now for some of the historical mistakes that it made. I hope we are not making a historical mistake here today, Mr. Speaker. To talk about the Accord itself, I think most of us, all of us that I have heard speak in this House, did not like the procedure. The procedure was inherited and I do not know how we are going to change that procedure.

I do not think it is going to be from open discussions all the way because whenever we have had that we see that some of the participants played to the folks back home. Maybe it has to be a combination of both, but one thing I do know is that the next time we get into this kind of a situation we have to talk about it in the Provinces first. We have not done that in this Province, either with this Government, which has been in for a year and a half, nearly, nor with the former Government we had.

Mr. Speaker, I do not think, with the 1982 repatriation of the Constitution there was not this sort of a fuss, but I think we have learned in spades this time that certainly we have to do something different, and maybe we have to make mistakes to learn, but that our people must know. People must know what we are getting into, people must become involved in the process, and, I think, for that, Mr. Speaker, we will become better Canadians. We have had some talk about senate reform here. I personally wonder

if it should be there at all, but there is one thing I do believe, that a Triple E Senate, elected, equal, and effective, would be much better than the type of institution we have now. What I do not agree with is that this is the salvation for Newfoundland. I am not saying, Mr. Speaker, that it would not improve things, but it is not the salvation. We can see with our neighbours to the south, and we have argued about that here in this House, of which state is better than the other and what the economic GMP of one state, one thing and the other, how better one state is than the other, but it does not, I think, correct regional disparities.

Mr. Speaker, members over and over again have said in this House that the Meech Lake Accord is flawed. The BNA Act in 1867 was flawed, the Terms of Union between this Province and Canada were certainly flawed, and we knew that in spades during the debate we had on the railway package in this House just a few years ago. Mr. Speaker, had we only known in 1949, had we had our crystal ball, we would not have seen the flaws. In 1982 Quebec was not in the process, and that is when the notwithstanding clause, which a lot of my constituents, I must say, when they talk about the Meech Lake Accord, they talk about the notwithstanding clause. I had one argument with one gentleman who said the notwithstanding clause is in the Meech Lake Accord, and I said it is not.

It is something that upsets Newfoundlanders, and upsets all Canadians, I think. No doubt, Mr. Speaker, the Meech Lake Accord is flawed as well, because we cannot see into the future, but this is an evolving process and I have no

doubt that perhaps the ten commandments would be flawed if we looked at them in today's light. I think they are all good documents, everyone of them, and I think it is part of an ongoing constitutional evolution of Canada. I suppose I could criticize Quebec when I speak here today, too. I do not think that the Quebec Government, or the Quebec people have sold their aspirations to the rest of Canada, the way they should have. Perhaps they have and we have not listened, I do not know, but we are a multi-cultural country and I hope we stay that way, and I hope that we will always in Canada be able to allow our regional differences.

Mr. Speaker, in conclusion, I would like to say that I believe, as does Premier Peterson, that the passage of Meech Lake will offer stability to the country. I believe, as the Premier says; that no Canadian Province should hold up the constitutional development of this country. And I believe that the future of the nation is in our own hands and our decisions today will affect our children and our grandchildren. And Mr. Speaker, please God that we make the right decision.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. Member for Harbour Grace.

Mr. Crane: Mr. Speaker, it is a real pleasure for me today to have the opportunity to stand here and speak in this debate. Certainly a year ago, fourteen months ago, when I was elected as a Member for Harbour Grace District; I never anticipated that I would be dealing with such a serious issue as the Meech Lake debate.

Before I begin my few remarks, I would like to say that there is one thing during this week of stress that I have really enjoyed. That is the dignity in the House and the respect that each Member has for each other. And the respect that we have for each other's opinion. It is fine and dandy to stand here and say; I am right, you are wrong. But it is not as simple as that. And I hope to prove where I am coming from before I am finished.

Four years ago, I imagine very few people in Newfoundland knew there was a Meech Lake. Maybe not too many people across Canada knew there was a Meech Lake. But in Newfoundland today, Meech Lake is a household word. Wherever you go, wherever you stop to talk, regardless of our problems, regardless of the fishery, how bad it is; people are talking Meech Lake wherever you go. And I think quite a number of people know that Meech Lake has not only to do with Newfoundland and its problems, but it has got to do with Canada.

And everybody who has stood in this House has said they are Canadian and proud to be a Canadian. I am no different. And I really believe that everybody on both sides of this House are proud to be Canadians. And I think when they vote they will vote with Canada in mind, whichever way they vote.

I am sure three years ago when the ten Premiers and the Prime Minister sat down at Meech Lake to weld together some kind of an Accord to bring Quebec into the Constitution, they did the best they could under the circumstances. And I think the only thing that people are mad with today, still mad with, will

be mad with for years to come, is the process. Those ten Premiers and Prime Minister welded together this in a Maritime session and then they came back quietly to the legislatures and put it through the legislatures. And very few people knew anything about it. That is the only thing I see wrong with it. And nobody knew anything about Meech Lake, with the exception of the legislatures. The people in the legislatures knew, they put it through. And I think we would have never known anything about it. But a clause in the Constitution said; before this seal of approval goes on Meech Lake it has got to lay on the table for three years. Maybe that is the flaw in that Constitution. Maybe that is something that should be worked out.

During those three years we had Provincial elections, and everybody knows what happened. Along came Premier McKenna, Premier Wells, Premier Gary Filmon with his minority Government; and those three Premiers decided to question the Meech Lake Accord. They saw flaws in it. I suppose one of the worst opponents of Meech Lake was Premier McKenna. For three years he fought the Meech Lake Accord. Of course, Premier Wells sees lots of flaws in it. And today I am sure most Canadians do.

The process continued to get worse if anything. Because when those three Premiers decided to question, I think it was then that the Prime Minister should have said; okay, come to Ottawa and sit down. And let us talk about our differences. Let us try and overcome the bridges, the gaps which you see. Let us try and straighten out the flaws in Meech

Lake, somehow that will accommodate both of us, but he didn't do that. He waited til the last, the dying minutes of the game, and then he brought them in to that marathon session, that seven-day dinner to which everybody refers and really didn't do anything. He put the premiers who were not in favour of Meech Lake into a pressure cooker and kept them there for seven days, they came home, nothing signed, and then he had the audacity to get on television and say well, I planned it that way, because by bringing it into a crisis situation was the only way I was going to get support. That is a terrible way to do business, and I think that was the flaw, the biggest flaw in the Meech Lake process.

When I was told by the Premier that I could go back to my District and that I would have a free vote in the Legislature, I did go back to my District and I interviewed as many people as possible, I had telephone surveys and had a public meeting.

At the public meeting about 120 people turned out, it is not a big group of people, but they were people who understood the Accord very well and didn't mind passing their opinion. I went there as neutral as I could be and when I finished my address to the people, I felt very good because John Lundrigan, who is a proponent of Meech, came along and said, you couldn't do a better job, as far as being neutral is concerned. I try to be neutral and I try to tell people, if you vote against Meech Lake, this could be the consequence. I painted the worst scenarios I could paint. I didn't go out building up a great deal of, if you vote against Meech

Lake, everything is going to be rosy, I painted the worst scenario that I could paint.

I asked people for their views at the meeting and I was surprised that ten or twelve out of 120 came forward and expressed their views and expressed them well. As a matter of fact, they impressed me with the knowledge they had of Meech Lake - and then we took a vote. Ninety-nine out of one hundred voted and asked me not to accept Meech Lake, to reject it. And what really surprised me, I was digging around to find somebody who was really a proponent, and one of the people at the meeting was a gentleman who ran against me for the Conservatives in the last election and when I saw him come forward, I thought I had a fellow who was going to tell the other side of the story, I appreciated that, but I was sadly mistaken as well because when he came to the microphone, he had a five minute speech, then turned to me and said, 'John, make sure you vote against Meech Lake'. So I thought, there is not a chance in this District.

I have had four or five people who have come to me and said vote for it and so I have tried to weigh the pros and cons of Meech Lake and certainly I am not a lawyer. There are four lawyers in this building in this House of Assembly, and they can't agree on which way to vote. There are constitutional lawyers, six on this side and six on this side. These six would say Meech is a great thing for the country, we must have it. These six will say, terrible, the country is gone if you vote this way, so how in the world can a person like me really make up my mind how to vote.

I do not think anybody can point a finger at anybody else. Nobody knows the day if you are going to vote right or wrong, but five years down the road you might know. Five or ten years down the road, everybody will know if you have voted right or wrong and all I hope is, that I am making the right decision with my vote. I am sure everybody in this House is just as sincere as I am.

I am not anti-Quebec and I am not anti-Manitoba, I am not anti-Canadian, but I think when you weigh the pros and cons of Meech Lake, don't ever decide you are making a good decision or a bad decision because I don't think there is any right decision or wrong decision. I don't think it is black and white. I think whatever the decision you may get some grey in it.

There is one thing I don't like to be and that is, I don't like to be pressured into making a decision, and I hate these remarks like the member for Port au Port mentioned, coming down from Mr. Blenkarn. That is a terrible thing in a situation like we are in here. We are in a pressure cooker trying to make the decision as best we can, and then we get people coming in here heaping all kinds of pressure on you. If you don't sign Meech Lake, Hibernia is not going ahead, if you don't sign Meech Lake, Canada is going to fall apart. You know, I think if these people had stayed home it would have been better. Now I listened to the Premiers and the Prime Minister and I listened to everybody who has spoken, I have listened intently. I am a better listener than I am a speaker. So I have listened intently to what has gone on. The question kept coming to me, and the question I kept asking

myself, the distinct society in the Meech Lake Accord, the distinct society tells me that they will give Quebec more legislative power. Okay, everybody again says it will not.

Premier Peterson says, 'I do not think it will, but if it does, it will only affect Quebec.' Premier Devine from Saskatchewan, says, 'Well I do not think it will give Quebec more power, but I am not sure it will not, if it does it will only affect Quebec.' But I do not think that is the way it is at all. I think if Quebec builds up more power it is certainly going to generate disinterest among the other provinces, because once a province becomes so powerful, and I will quote the MP, the twenty-five year Member of Parliament the other day from Nova Scotia who left and walked out of the caucus over Meech Lake. He felt pretty strongly about it. He says, 'If Meech Lake is approved it will put a straitjacket on the Federal Government. They will have power enough to put a straitjacket on the Federal Government.' Nowlan is a Conservative MP, who had been there for twenty-five years. He must have some ideas of the power in Meech Lake for Quebec.

Another thing that bothers me is unanimity. Everybody with a veto. Every province has a veto. How in the world will we ever get any senate reform or any more changes in constitution that takes unanimity. These are the things that bother me. These are the reasons I cannot support Meech Lake. I do not know if I am making the right decision or the wrong decision. If anybody can tell me if they know that, looking into the future, I would certainly appreciate hearing from them

because I think that if you vote against Meech Lake there is going to be repercussion. There is going to be negativism. There are going to be people in Ottawa telling you, well, you are not going to get this. And they are going to use the defeat of Meech Lake to put up interest rates that would have gone up anyhow, borrowing is going to be curbed because of Meech Lake, it might have been curbed anyhow because of our economy. Everything that goes bad is going to be because we defeated Meech Lake.

But on the other hand, if Quebec is going to leave, that is another thing, if you turn it down Quebec is gone. I do not believe that either. I do not believe it is as simple as that. But supposing the worst scenario comes and Quebec leaves, that is the worst scenario that can happen, I hope it never happens. I am a person who would always like to see ten provinces in this Canada. But looking on the other side of the coin, flip the coin, if we say yes to Meech lake, if we say yes to Meech Lake, Mr. Speaker, and give the Legislature of Quebec enough power to put a stranglehold on the nation, then I am afraid that the western provinces are going to get disinterested as well. What is going to happen if they decide to walk out? I do not think there are any real positive results can come whichever way you vote. So what I am doing is picking what in my opinion, and my constituents opinion is the lesser of two evils. I think there are two evils, but I am picking the lesser, I will vote today to reject the Meech Lake Accord.

Before I sit down I would like to say a couple of more things. Getting back to the survey, I

think we really have to look at what our people are saying. If it had been put to the people, they would have had all the say in it. If we had a referendum, it would have been the people who would have decided, but because we did not have time we asked them for an opinion and I do not see how we can outright reject that opinion. I think it would be a slap in the face to the people in our districts to do that. Nevertheless, I will not criticize the people who do it. I think everybody is voting with their conscience. I think everybody is voting for what they think is right. I do not think anybody should stand in this House and criticize the person who votes the other way.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Thank you, Mr. Speaker.

Mr. Speaker, the first time I stood in this House to debate the Meech Lake Accord was on May 17, 1988. Little did I think then that I was going to have three more times to do it, and little did I think that it was going to cause the emotion that has been raised over the decisions that have to be made here in this House today.

The first time I spoke, I was concerned with the issues and the weaknesses which had been identified in that document. They have been well talked about since, the distinct society, the Quebec veto, limitations on Federal

spendings, and Quebec's increased role in immigration. And, at that time, I really didn't expect that I was going to hear this debated in the House twice more. At the time, I even talked about how, as in Opposition, really we were talking and pointing out the concerns that we felt, but we knew the Government had the majority over here and were not going to do anything about it. But, I guess, what has happened is we have seen democracy at work. Since that time, there was an election and the Government of the day are now the Opposition and we are the Government. So it gives us a chance, and we are put in a position where we have to make some very serious decisions.

Now, when the Premier came back from Ottawa a couple of weeks ago, a decision was made that we were to go into our districts, consult with the people in our districts and get the feeling as to what was the general consensus out there, because we didn't have time to have a referendum that should have been held, so that really, we would get the true impact of what was happening.

I went into my District and spent four days there. I talked to the people and tried to be, as my colleague from Harbour Grace just said, as fair as possible. I tried to present the case. What I really got from the District was that they wanted me to vote to reject Meech Lake. I told them I wasn't sure I could do that. I told them that I was going to have to make that decision when I came back, heard the debate in this House, and then, after deliberation, I was going to have to make a decision that I was going to have to live with. In most cases, they agreed that I, as

the representative for that District, should have the final right to make the decision. History will prove if I am right or wrong in the decision I have to make.

Mr. Speaker, this Legislature is about to make the most significant decision ever made by the House of Assembly since the time of the Alderdice Government, I suppose, when, in 1934, the Legislature of the Dominion of Newfoundland voted itself out of existence and changed forever the constitutional structure of this country - it was a country then - and this Province.

So, during the course of the debates, we have heard all the reasons why Meech Lake is a flawed document. Our Premier has presented Newfoundland's position with clear thinking, integrity and courage, but he has also said that no one province has the right to hold up the passing of this Accord.

I believe the fundamental question which we have to ask ourselves at this time -

An Hon. Member: (Inaudible).

Mr. Gilbert: You did not say that.

An Hon. Member: I thought you did.

Mr. Gilbert: - is do we have the right to reject this decision agreed upon by the nine other Premiers and supported by three Federal parties? I mean, this is the situation I find myself in. The fundamental question is, Do we have this right?

The next question is do we believe the process that was used in making this decision was right? There is no doubt about it, there is no one in Canada would agree

that the process was right. It was wrong. And I think this is what the Premier was concerned about when he pointed out the weaknesses, the fact that Canadians, the public did not have a right to make a decision as to what was going to happen.

I know Canadians across this great country of ours have been appalled, I suppose not only by the secrecy of the talks, but by the tactics used to bring about a crisis environment at a time like this, a serious situation like this. And the crisis environment caused by pressuring the First Ministers to approve the Accord under duress. Everybody in Canada I think realized that this system of amending the Constitution is wrong and should never be used again. We recognize that a bunch of people, politicians, and leaders of the ten provinces sat together in a room overlooking Meech Lake, that famous place now, and made a decision to bring Quebec into the Constitution. Bearing in mind that there was concern, and there was an amendment needed to bring Quebec into the full membership in Canada.

It was in 1982 when the chance was there, when Quebec was given the chance, there was a Separatist Government in power in Quebec who had no intention of signing the agreement no matter what was given. I think those people sat around a table and I think that if you were to look at it in retrospect, they cut a deal. It had very little to do with constitutional refinement. There were a bunch of people sat around the table and said, we are going to make a deal, we are going to bring Quebec in, and it will work out along the way. They did not give the people in their provinces

the right to have the input. Now this is why we are faced with this situation today that we are, it is because of the situation that was put in by those people who were going to be statesmen, albeit they were like a bunch of fellows sitting around and cutting a deal and smoking a cigar and saying, well do this and it is good. But the only thing is they did not get the approval. The people did not give them the approval. That is the main concern that I have with the Meech Lake Accord.

And I suppose a lot of people in Canada and most of us here in Newfoundland were shocked when we heard the Prime Minister of this country admit that he timed the meeting of the First Ministers so that there would be very little time to give the people of this Province or the whole country any real time to debate and to approve the decision that had been made a few years earlier.

And we are all aware that, as I said, the process is wrong, but we cannot change the fact that it was the elected First Ministers of the provinces who agreed to pass the Meech Lake Accord. And our Premier, I think, recognized that when he said that he undertook to bring this back to be debated here and it would be approved if the Constitutional amendment of 1987 is given legislative approval. He said, Well, fine, in view of the fact that we do not have time to have a referendum, if it is approved in this Legislature then it would have to be put into law and adopted, and I think that is fair.

I think that is what we are doing here really, I suppose today, is either approving or rejecting the Meech Lake Accord. We all know

what we are doing here. But much has been said of the consequences of rejecting the Accord on the future of Canada and on the future of Quebec within Canada. The one thing that we know for sure is that the Official Opposition in Quebec has as its main aim to take that province out of Confederation. That is the one thing we are sure of whether Meech Lake is passed or rejected, that is the Opposition in Quebec, the P.Q. Party has that as their aim.

Now if we vote to reject the Meech Lake Accord we know for sure that Canada will never be the same. That is one thing we can rest assured on, there are going to be changes - we do not know. And this is where I have the concern that I have, is that I do not know what will happen once we vote, if we voted to reject the Accord. It would certainly place a heavy burden and responsibility on the shoulders of the people of this Province. It is also going to lead to political instability. And as well, it is certainly going to lead to economic and financial instability and the consequences are immeasurable at this time. Because we do not know for the entire nation. We really do not know what will happen. And this is why I think we can stand here and in a free vote, we have to think about it and look at it.

If we had that crystal ball, that my colleague from Harbour Grace talked about, to look into the future, it would be easy to make decisions like this. But when you have to make this decision - and it is the most serious decision that I have ever had to make since I have been in politics - and when you have to make them, and you do not know what is going to happen if it is rejected and you really

have some concerns about what happens if it passes. We do not know. There are a lot of imponderables in this agreement so it makes it much more difficult to make the decision.

Now, as a Newfoundlander and a Canadian, I am very concerned with the consequences if Meech Lake is rejected in this Legislature. And I look at it from the point of what is going to be the financial and economic concerns all across Canada. Internationally, what are the people looking at Canada now saying. What are they saying is going to happen if Meech Lake fails. We, in Canada will be looked upon by the whole world, that we have an internal problem which is going to take the energy that we should be putting into solving the problems of the economy, into trying to keep the country together. Now, that is my concern. If there is going to be economic upheaval in this country and downturn; we in this Province, which has the most fragile economy in all of Canada, are the ones that are going to feel the effects of a downturn in the economy. We are going to be the first ones struck.

One of the public meetings that I had in my District was in St. Alban's. Approximately 100 people showed up to the meeting, and people got up and expressed their concerns; either to vote for the Accord or to vote against it. The meeting, I would say, was somewhere in the 60/40 area. It was divided. I knew most of the people in that room, but there was this strange couple sitting in the front row, strange, as we say in Newfoundland, because they are not from home. So afterwards when I was finished, I went over to this woman and she said; Mr. Gilbert, I

would like to say a few words now. She said my husband is a professor at the University of Waterloo and he is here on an assignment and he is going to be here for the summer. And she said; I would like to urge you to vote to reject the Meech Lake Accord. Because you and your Province have stood up in all of Canada and said that there is something wrong with this. In Ontario we did not do that, or we did not get the chance to do it, so you now have to fight the battle for Canada. So I said; Madam, that's great. I appreciate the fact that you did - and there was concern in the room, people were wanting us to fight the battle for Canada. And I said, I appreciate the fact that you want me to fight this battle for Canada, and you want Newfoundland to fight this battle for Ontario. But I said, if as a result of us rejecting the Meech Lake Accord we get Ottawa upset with us, and the country is going to be put in chaos because of the fact that we have this situation where Quebec is threatening to move, I would like to have the luxury to be able to defend Ontario and the rest of Canada. But unfortunately as a Newfoundlander first, and as a Canadian, I have to look at what is best - I am going to be put in a position that I really did not want to be. I am going to have to make a decision on what I am going to do with Meech Lake next Friday. Most of you can stand and give me advice, and that's fine but I'm the one who has to make the decision. I have to make the decision, what I think is going to be the best for this province that I happen to represent, and this is the purpose that we are here for I suppose.

I am very concerned about what is

going to happen in Canada and Newfoundland if we don't pass the Meech Lake Accord. You know I support all the intellectual arguments put forward by Premier Wells, but I feel the intellectual aspects must give way in the National interest to the political aspects, and we are politicians and we are making this decision and we have to make some political decisions at this point in time. It is gone past the intellectual ones now. I am not a Constitutional lawyer. I made my living in the outside world in the retail business. So I have to look at what is going to happen in Newfoundland and, as I say, there is a political decision that we have to make here I think.

Now I believe by looking at the political aspect of the thing we have got to put Canada first, and for this reason, as a Member of this House of Assembly, as a Canadian, a Newfoundlander, I have no real choice but to support the Meech Lake Accord with its noted flaws.

Some Hon. Members:
Hear, hear!

Mr. Gilbert:
I have faith that a Constitution, as I understand it - I have heard Senator Forsey and people like that - Constitutions are made up from the people. It was the will of the people to see the changes made. It comes from the people and flows through. I am sure, and I have faith that the men of good will who will follow in our footsteps as the years go by will make, if there are the flaws that we see in this Meech Lake Accord, if they are as serious as we think they are, people who follow us will do it over the next decade, or if not the next one, because

the situation is there. That is the basic law of your country, what we are doing now, but it is brought about because people feel there is a need to have this added protection. The first Constitution that was started was started at the point of the sword when the people in Runnymede did not think that King John was giving them a good deal. So we have the right to trial and stuff like that to be held that way. I don't think we will have to go that far to change this Constitution, if people find, in the years ahead, that we made mistakes in this. I think everybody admits that yes, there were problems, but I think that this can be changed by the will of men and with the pressure from the electorate which is putting them there. Democracy will work if there is a great need to change the Meech Lake Accord it will evolve to the changes that are needed to make this country great. I don't want to take a chance on weakening this country by voting against the Meech Lake Accord.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Ferryland.

Mr. Power: Mr. Speaker and fellow Legislators. Certainly it is an honour to speak today in this House of Assembly as it always is an honour, but a very special one today on such a grave issue of concern to this country. It is certainly a pleasure to speak after the Minister of Public Works, Services and Transportation has voiced his concerns for Canada and has, I guess, voted against most of his colleagues, or

certainly not in the main trend of the Liberal Party today. It shows a great deal of courage and a great commitment to this country, which is certainly something that has to be admired.

Mr. Speaker, last night when I went home from the House and I was watching some TV, I saw a tremendous tribute to John Turner, a very good Leader in this country for a period of time. A man who supports Meech Lake, again sometimes against the tide in his party, but a man who has over the years, while he has been a public servant in this country, has contributed a lot and has taken a lot of, maybe not so popular stands.

Part of the profile they did on him was in 1968, they showed John Turner as a very young man, involved in a leadership convention then, which Pierre Trudeau and eventually Prime Minister Trudeau won. John Turner's speech at that convention in 1968 said: 'the main concern in this country today, in 1968, is the unity of this country. This country is in fear of breaking up. This country is in danger.' Mr. Speaker, that was in 1968.

I continued to watch the Liberal convention, and then of course, the news and the Journal came on, and I saw the Meech Lake impasse in Manitoba, I saw how one person, using his free and democratic right, which he has every right and obligation to do, was able to prevent, through a procedural process, the very likely passage of the Accord in Manitoba, where the three political leaders have agreed that it should pass.

Mr. Speaker, when I watched it I had a feeling of despair. I said

why bother to do a speech, why bother to talk, why bother to try and change people's minds. Mr. Speaker, we have to have a vote in this Legislature and I was delighted after the Premier finally decided that we were going to continue on with the free vote, we weren't going to let the Legislature or the native people of Manitoba prevent us in Newfoundland from having our fair say about this great country that we have. So, Mr. Speaker, we should vote, but I am afraid today, when I watched the Meech Lake impasse in Manitoba, I am afraid that some members in this Legislature are going to say, what difference does it make now, I might as well vote against, it doesn't make any difference.

But there is a big difference. In Manitoba the Meech Lake Accord is being held up because of a procedural wrangle. It is a timing problem, it is a Legislative problem. It's not people exercising their democratic right as legislators to vote. So, it is very, very important that in this Legislature today we vote and that we vote with no real concern for what's happening in Manitoba, we vote with our conscience as it relates to Newfoundland and Labrador. Mr. Speaker, I could say that Canada certainly deserves no less from Newfoundland and Labrador, its youngest Province, to know where we stand on this vital issue.

Mr. Speaker, many of my comments today will be addressed to the Premier. I still have faith that this Premier and this Province will put Canada first. I believe that he will do that in his own way, and I believe that he has allowed a free vote to happen on his side of the House, and it is

good that it should happen.

Yesterday, I was trying to put some words together, and I guess, like most of us, trying to compose probably the most important speech of our political lives. We have all changed them many times. Sometimes I decide to use quotations, sometimes I decide: let's do it ourselves in Newfoundland with our own logic and our own brain power. But sometimes you come across things which do make sense put into prose, I guess, something you would like to have at a certain time, to bring up and and write that way.

While on the way to Saskatchewan to a Legislative thing that we were on for the House a little while back, I picked up a book in the airport and I read a little quote. It was a book about the abuses of power and how power and corruption and things could get out of whack, even in a democratic society. Mr. Speaker, it says, 'Every now and then throughout the human odyssey, forces seem to almost accidentally come together, producing men and women of startling wisdom, talent and insight, and the results are wondrous. The arts and the sciences speak for themselves, for they are all around us, embellishing our lives with beauty, longevity, knowledge and convenience. But there is another area of human endeavour, that is both an art and a science, and it too is all around us, sometimes enriching our lives or destroying them. It is the guardianship of a given society under the common laws of governance. The guardianship of a given society under the common laws of governance. It's an art and a science.' It is in a book written

by Robert Ludlum called Trewayne, written after the Nixon's Watergate scandals in the US, when a large group of people, both elected and nonelected, had decided that they were above the constitution and above the law.

Mr. Speaker, as I said, I have never been more proud to speak in this House of Assembly. I suppose, myself and the Member for Mount Pearl, and I guess the Leader of the Opposition and the Member for Port au Port, are probably the longest serving members in this Legislature now, from 1975 I believe. We have been here for fifteen years, ten of those years I spent in Cabinet and I do not think I ever made a decision as important as the one we have to make today. All the Cabinet decisions, all the legislation we passed and voted on, none of them were as important as today. I am glad our Leader of the Opposition gave us a free vote. I do not think there was any other choice, because I know the members in this caucus and I know on this issue we would have had a free vote anyway.

Some Hon. Members: Hear, hear!

Mr. Power: If members do not think that is true for all the rest of caucus, I guarantee it is true for me. I fought my political party to get involved in politics fifteen years ago, so I could represent the people where I lived. That has not changed. On my political career, I think most persons would say on occasion I bucked the trend, I have gone against the tide, I have been my own person, and I will continue to be. One law I always had, and one principle that I always held true was that I would serve the people from Petty Harbour to Cappahayden

as best, as honestly and as decently as I could, and I did that.

Last week I had a couple of public meetings in this referendum process of trying to find out what we were going to do with our constituents, and what they wanted us to do. The public meetings, Mr. Speaker, were not comfortable. They were not pleasant. They were agonizing. I only had one hundred people at the two meetings, one in Bay Bulls and one in Ferryland, but it was a difficult, difficult series of meetings, for the simple fact that for the first time in my political career I had my constituents, almost every one of the hundred I knew by their first and last names, and many of them were supporters of mine who were telling me, demanding, adamantly in many cases, that I vote against the Meech Lake Accord. Mr. Speaker, in this case again, I have to go against a trend, because I am voting in favor of the Meech Lake Accord.

Some Hon. Members: Hear, hear!

Mr. Power: I will try in this small amount of time that I have to explain exactly why.

Mr. Speaker, this debate we are having in this House is by far the best that I have seen in my fifteen years here. It is so far removed from the normal proceedings of the House of Assembly that you would almost wish we could do this democratic process more often. Democracy in Legislatures do not always work that way. However, one of the unfortunate parts about debates is that debates are often meant, between two opposing view points, to convenience a neutral panel of

judges or spectators to a certain point of view. I have seen them in public halls around the Province debating capital punishment one side or the other, and a judge or panel will decide who won the debate. In this case, it is a little bit different, in the debate that we are having the participants are actually trying to change the viewpoints of each other. In this case, when I tried to put a few thoughts together, I began to think what can I say?...as one Member for Ferryland, with some experience in this Legislature, to try and convince persons on the opposite side of the House, who have either decided to vote against Meech Lake, with all of its concerns, all of its flaws, and what can I do in particular to possibly convince the Premier and those who are doubtful to maybe reconsider and really vote with Canada and with Meech Lake.

I am not sure, but back in 455 BC a group of philosophers discovered a new literature form really at that time, it was called rhetoric. It was the art of composing and presenting speeches. I am not sure the rhetoric that we have heard in this House in the last week is able to change very many people's minds, but it is an important function to do.

Mr. Speaker, the Premier is not in his seat and many of the comments I have I direct towards him because he does lead his Party and a lot of people depend upon him for guidance and leadership in this issue. There is no doubt that in many cases in my District as well, this Premier has become extremely popular. That he has a large, large following of persons in this Province who appreciate

his integrity, his honesty, and the fact of his perseverance under some very difficult circumstances.

When the Premier was going away, I spoke on April 5 on a rescinding motion, and I said this to the Premier, 'I can only hope that the Premier, when he goes back to the next round of negotiations, that he goes there with a very open mind, with a deep understanding and respect for the history of Newfoundland and the history of Canada.' Mr. Speaker, I feel the Premier went to those meetings and he learned a lot about Canada. I believe he returned to this Province with a sincere appreciation for the other regions of Canada, especially Quebec. But I think he came back a wiser but sadder man. Because I think he believes now, and knows, and appreciates the difficulties in running Canada, the difficulties in changing Canada.

This Canadian amalgamation if you want, and the I know the Minister of Municipal Affairs has tried to amalgamate certain parts of this Province, can you imagine amalgamating little small communities in Newfoundland and what the Minister of Municipal Affairs has gone through? Imagine how difficult it is to amalgamate St. John's and Mount Pearl? The same ethnic groups, the same culture, basically the same religions, everybody speaks the same language, all using to a certain degree the same water system, the same garbage system, and you can't amalgamate Mount Pearl and St. John's. And it is not only my colleague's district. I can't amalgamate Witless Bay and Bay Bulls, which are much smaller and who want the same things - the animosity, the enmity, the suspicion between small

communities.

When Premier Peterson spoke the other day about having a community called Toronto, where you teach education in eighty different languages, where 50 per cent of the population is neither English or French, imagine amalgamating in that area. So when I look at Canada, and I know many of us sometimes forget our history, and some of us probably didn't know it or didn't acknowledge it, but I want to look back, because when we change Canada, and we will change Canada today, there is no doubt about it, this vote which is going to be very, very close, it is going to be somewhere between twenty-seven to twenty-four, or twenty-five to twenty-six, it is a very close vote, but we, today, in this House of Assembly in Newfoundland, Canada's newest Province, with 560,000 or 570,000 people, are going to change Canada irrevocably for our lifetimes and our children's lifetimes.

You know, 20,000 years ago there wasn't a single living soul in the country called Canada - no people. It didn't exist just 20,000 years ago, which is not a lot of time. About 20,000 years ago, some of our Indian people used a land bridge that was then in existence between Alaska and Asia and came to Canada and became our first citizens, our aboriginal citizens. They brought the name Kanata with them, meaning a village or a community, the Iroquois Indians did.

Five thousand years ago, our second group of citizens arrived. They were the Eskimos who settled in our arctic regions - 5,000 years ago, not really so long.

Only 493 years ago, John Cabot

discovered Newfoundland, in 1497. Although we all know the Basques were probably here before that, but they did not settle and did not have any permanent influence on Canada. Three hundred and eighty-two years ago, not very long - 382 years ago - Canada's first permanent settlement was established in Quebec city, in the year 1608. And 227 years ago, in 1763, Britain finally gained control of Canada and English settlers joined with what French settlers were remaining to live in some kind of harmony for a period of time, and from 1763 until 1867 there were disputes and battles on and off.

Finally, 123 years ago the French and English joined together to form the Dominion of Canada. Only fifty-nine years ago, and some persons in this House are this old, I suspect, only fifty-nine years ago, in 1931, did the British House of Parliament actually pass an act to make Canada, to recognize our independence - fifty-nine years ago. Eight years ago we finally became a more independent nation by repatriating our Constitution, and three years ago we passed the Meech Lake Accord, or so we thought. And that is where it is, from 20,000 years ago to three years ago.

In the last thirty years, besides the repatriation of our Constitution and the Meech Lake Accord, certain things have been happening in the Province of Quebec, one of the founding peoples, really the third founding peoples of Canada. Behind the Indians, the Eskimos, the French were the third and the English came fourth. For that third founding peoples of Canada, in 1960 something happened; a fellow

named John LeSage became Premier of Quebec and started what he called the quiet revolution, the revolution to convince the rest of Canada that Quebecers, French Quebecers, should be allowed access to jobs, that they should be allowed to play a role in the Quebec economy, and that the culture and the distinctiveness of Quebec should be appreciated by the rest of Canada.

From 1960 to 1963 the FLQ arose; the FLQ started bombing some buildings in 1963. In 1970, twenty years ago, who remembers the kidnappings of Cross and LaPorte? Not very long ago. In 1976 the Parti Quebecois took over, and after that you had the referendum, in 1980.

Mr. Speaker, this process of the last thirty years, Meech Lake, is flawed. Everybody says it is flawed. Why is it flawed? And why is there such unanimity about its flaws? Do you know why it is flawed? Because it was done by human beings. And I don't know of anything a human being can do and do it perfectly.

Some Hon. Members: Hear, hear!

Mr. Power: So for thirty years we have been working on some changes to our Constitution, ultimately resulting in Meech Lake, ultimately resulting in where we are today. We are - what? - 94 per cent of the Legislators representing that portion of the people of Canada, eight governments out of ten, three national leaders, the Parliament of Canada have all supported it, and we are this close to solving a thirty-year-old serious problem in this country.

Mr. Speaker, the process is

flawed. But, I tell you, I am not sure I agree with all the criticisms. Yesterday, I jumped at one of my colleagues who was giving the Prime Minister a hard going-over for the way he handled this, as if the Prime Minister didn't have a sincere bone in his body and all of this was a game, and somebody was just rolling dice. The analogy was wrong, the choice of words was wrong for the Prime Minister, but the dice are being rolled, there is a gamble at stake. There is a game being played, and the stakes are very serious and you can use any analogy you like. But those eleven persons who met in secret weren't eleven hoboes picked up on the railway tracks in Toronto, they weren't eleven guys out on parole - unfortunately there were eleven guys. Maybe if there had been a few women there it might have been a bit more sensible and done properly, and I am sure that will happen in due course.

Some Hon. Members: Hear, hear!

Mr. Power: But this attitude we seem to have that these eleven guys got together, who know nothing about this country, who have no concerns for anybody and had this great little party for a week, where they fought and argued and ate and slept and didn't do anything. These are the eleven persons who have reached the pinnacle of our political society, the most fundamental institutions that we have. They are not eleven persons who don't know anything about the country, they are not eleven selfish or self-righteous people, they are people trying to do a job. And I resent, sometimes, the comments that were made about the Prime Minister and about the other Premiers, as if they bullied and browbeat, like

there was no logic involved, there were no concessions and there was no real concern.

Mr. Speaker, there has to be negotiation in private. Ask the President of Treasury Board, or the former President of Treasury Board. Things happen. Sometimes settlements are not done until there is a crisis. What did we do here this morning for the first hour of the House of Assembly? We dealt with a crisis which could only be done at the last minute - almost all negotiations. The problem, where the process feel down, is that the public of Canada didn't have any input, and that is wrong. It is nice to have your legislators, duly elected, have input, but you should also bring it back to the public. And I am sure that if Meech Lake passes, or whenever we change the Constitution, in twenty or thirty years hence, then we will have a public process.

But all the blame is not on the Prime Minister. This Administration has been elected for a year and a half. I have not seen any pamphlets. We didn't produce any pamphlets when we were there for three years, we didn't have any public meetings, we didn't instruct, or inform or educate the people of Newfoundland about Meech Lake. We assumed that because we passed it it was going to be okay, and that was a fallacy. And unfortunately, for us, it is where we are today.

Mr. Speaker, I know we are supposed to keep roughly to the time limit, and I will try not to go over very much, but I want to ask members on the opposite side, particularly, who are wavering, who may not be convinced, or who have said that they are convinced,

to imagine if we were the Fathers of Confederation. What would we have done with the country in 1867, and would we have had a country?

The group we have here, that we have listened to for the last three days, what would we do if we were negotiating with Joey Smallwood, if we were his advisors in 1949? If we went to Joey Smallwood and said there are five things in this new agreement - we are going to take you into Canada, or you have been accepted in Canada, but there are five things here that we might as well tell you about. One of them is a distinct society clause for Quebec. Most persons will say it doesn't give them any power. If it does give them power, it is only after it goes through the Legislature in Quebec, through the Supreme Court of Quebec, and it only affects residents of Quebec. Would Joey Smallwood have said we should not join Confederation because the distinct society clause is there for Quebec? I think not.

If Joey Smallwood was approached with the idea that Quebec wanted a separate immigration policy, and the Prime Minister and negotiators of the day came and said Quebec wants a separate immigration policy, but we will offer you, Newfoundland, exactly the same deal, exactly the same wording, would that have stopped us from joining Confederation? I am sure it wouldn't.

The Supreme Court: If in 1949 they said, look, we are going to write down that three judges of the Supreme Court are going to be French, from the Province of Quebec, from the legal system in Quebec which is different than

ours, out of nine - it was an unwritten law almost anyway, they being there, so we are just going to write it down, would Joey Smallwood have said no to Canada, we don't want it, we will try something else?

The opting out clause, which some ministers opposite, in particular, are so much against, gives power to the Provinces. It takes some power and some spending and gives some initiative to the provinces to develop local programs. I fought with federal ministers for a long while to get some opting out privileges, so we didn't have to adapt our employment programs to the rules of Toronto or Vancouver. They are better if they are regionalized.

Some Hon. Members: Hear, hear!

Mr. Power: Some of my good friends opposite, like the Minister of Development, who is against Meech Lake, will, as he becomes more experienced as a Minister and realizes more fundamentally how solutions have to be found, will ask the federal government many times for opting out so that you can use that money in Newfoundland.

And then there is the veto. I don't understand the position on the veto. On one hand we say we should not have opting out because it takes powers away from Canada and may hurt the smaller Provinces, then all the arguments opposite are, we have to have a Senate so we can get more power. Now you cannot have it both ways. You cannot have, say, opting out and reduce the powers of the provinces and keep them in the federal system and not have it in the Senate, you can have one or the other.

Mr. Speaker, I actually think the veto is a great thing; it is great for PEI, it is great for Newfoundland. It is great for the small provinces, because it gives us power. Look what is happening to us today. If we did not have the veto which we are using today and in the future, who would pay much attention to a small province? So a veto for us can be a very practical, positive element in developing our Province.

Mr. Speaker, two things I want to speak about just before I finish, two kind of fear I have heard about in this Legislature. One is the fear, spelled f-e-a-r, of the emotion, the condition of being afraid, feeling that danger or evil is near, such as fear of the dark, fear of flying, fear of elevators, fear for your family's safety, and then there is f-a-i-r, being just, impartial, being considerable.

I think we have heard a lot about the first kind of fear. Persons who bring it up are invariably put down as being fearmongers, because we have analyzed the situation and we think danger is near. Some other persons analyze it and say danger is not near. I think danger is near. I fear for Canada. It is human emotion like love, hate, contentment. Fear is a real emotion and I feel it. I honestly believe that this country is in danger of breaking up. When I talk to my friends in Quebec: I spoke with Benoit Bouchard yesterday, who is a federal minister, who is a friend of mine, and he guarantees me, I was guaranteed by a doctor in Ferryland that Canada will never separate, but I was also guaranteed by a Quebecois minister who says the emotion in Quebec is so high - so high - that this

country is definitely going to be changed after Meech Lake, with or without it. Yesterday, 57 per cent, in La Presse, said that they would consider some kind of sovereignty association with Canada.

The fears for the economy: Some people say if you mention Hibernia and tie it in with Meech Lake, you are browbeating, you are blackmailing, you are intimidating. If you were the president of Mobil Oil and you were going to borrow \$700 million or \$800 million to invest in an oil investment in Newfoundland and the interest rates go up 3 per cent, do you think it might just make the person re-consider and say, Hey, 3 per cent of \$700 million, or 3 per cent of \$4 million might just make the project not viable? They are consequences, as my friend for Mount Pearl told us yesterday. They are not intimidation, they are consequences of decisions.

But the other part I want to say. Mr. Speaker, in concluding, is that today we are changing Canada. Canada will never again be like it was on June 23rd. Today is the day! We all have to make the decision. But it is the other fairness, the fairness and balance the Premier so often talks about that Newfoundland deserves, that is the fairness we have to give back to Canada. It is our turn to turn the other cheek, if we are angry at Quebec about our hydro, it is our turn to show a little bit of Canadian fairness.

Some people say, Oh, Quebec keeps asking and we keep asking. The reality is that Canada has been pretty fair to Newfoundland in the last forty years or so. I don't think most of us could have our

educational system, or our health care system, the standard of living we have. I know we argue this point in the Legislature in a more mundane way sometimes, but I am convinced that Newfoundland would be an awful lot worse place if we didn't have Canada. They have been very fair to us. They have given us most of what we want and need; never enough, we will always ask for more. So when you hear Quebec asking for more, like the Premier of Ontario said, don't be surprised when Quebec bitches for more things in Canada, because we do it.

How sick and tired the Federal Government must get of listening to John Crosbie asking for more help for the fishery - there is always a crisis; more money for rural development, more money for roads and water and sewer. So for the billions upon billions of dollars we have received from Canada for the last forty years, maybe today we should be a bit more accommodating to Canada, maybe we should be a bit more fair. Canada has accommodated a lot of provinces in a lot of different ways through the constitutional process: PEI has four seats, for a very small population, in the Parliament of Canada, twice what they normally would have. When the western provinces joined Canada, they did not have control of their resources. They were given control of their resources through constitutional amendments. Mr. Speaker, why can't we accommodate Quebec?

Those five things I talked about are not significant enough to tear a nation apart, and it will be very unfortunate if it does. Some of you who are in the galleries certainly did not hear, but all of

us in the Legislature yesterday heard Premier Devine's story, the idea of family, the idea of working together. You see it every day in Newfoundland on a community basis. A home burns down, we get together and collect money and we build a home if there is no insurance. Someone gets lost, we go out and help. You don't need special awards or benefits or privileges for doing those kinds of things, they are human things that you do for your family. So why can't we accommodate Quebec?

Today, I think - and I still speak more to the Premier, I suspect, than to most other members. When the Premier spoke to the rescinding motion back on March 27th, talking about economics in Newfoundland, and these are the Premier's words: 'We want to contribute and pay our own way, and we want to give back to great Canada some of the vast wealth that they gave us over these last forty years.' Well, Premier, maybe today is pay back time, maybe today is the time to be fair. Maybe today, if we can't return it in monetary or fiscal terms, we can return it with morale, support and encouragement to build this country. Premier, you have a tremendous opportunity not offered to many politicians in their lifetime - but to go beyond politics and regional concerns, become a statesperson, a statesman - not often offered to a politician and probably only once in your lifetime will you be offered it.

Mr. Speaker and fellow-legislators, again, somebody else wrote something a lot better than I could. It is a poem by Sir Walter Scott, and I think a lot of you know it. It

talks about patriotism and love for your country. It says - and the first line will be familiar to many - "Breathes there the man with soul so dead/Who never to himself hath said/This is my home, my native land." And it goes on, in the poem - and I won't read it all. But the last two lines of it are indicative of what we are at today, and it says, for the person who puts self, local interest, above the country, for that person, he died unwept, unhonoured and unsung.

Mr. Premier, I urge you and members of your caucus to seize the opportunity that you have and somewhere, many, many years hence, I hope, when the Premier of this Province leaves this world, that he is, hopefully, to be sung, to be praised, to be lauded for his nation-building, for his concern, and for his fairness to all of Canada.

Mr. Speaker, I say, in closing, that it is an honour to be able to speak on behalf of the residents of Ferryland, even though, today, I vote maybe not the way the majority have been wanting, but it is an important concern, and I vote for Canada. Thank you.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Trinity - Bay de Verde.

Some Hon. Members: Hear, hear!

Mr. L. Snow: Thank you, Mr. Speaker.

Mr. Speaker, I stand here today to express my opinions and thoughts on a very important matter, the very important issue that we have at hand, whether to accept or reject the Meech Lake Accord.

In 1987, when the Meech Lake Accord was first presented to Canada, I was a private citizen of Canada in the Province of Newfoundland. Since then, I have become a member of this Legislative Assembly and my position dictates a responsibility to my country, my province and my constituents.

To be better informed, Mr. Speaker, on the issue, research and consultation became a priority. A decision of this magnitude requires that all members seek input from those who oppose and those in favour of the Meech Lake Accord.

Canada is a country built on negotiation and accommodation; therefore, it is our responsibility to make sure that all Canadians are heard. It is our responsibility to ensure equality of all Canadians, as well.

As our Premier has pointed out, no federation is likely to survive for very long if one of its supposedly equal provinces has a legislative jurisdiction in excess of that of other provinces.

Mr. Speaker, the issues arising out of Meech Lake are agonizing and they are not easily dealt with; however, I have tried to remove myself from the emotional realms of this issue, the Distinct Society Clause, the process the Prime Minister and other supporters of this Accord have followed, Senate reform, the consequences of passing or not passing the Accord, the views of my constituents became the factors in my decision. And I would like at this time to express my concerns on these particular issues.

Mr. Speaker, I feel the Distinct Society Clause will create two societies in Quebec, and in Canada as a whole. The English minority in Quebec will become second-class citizens without clarification of what the Distinct Society Clause means. We are left to wonder, is Canada not, as a whole, multicultural? And do not Canadians believe in equality? With the introduction of the Distinct Society Clauses two classes will be created. This is not the objective of our nation.

Would the Distinct Society Clause be used to enact laws further restricting Quebec's linguistic minority, similar to Quebec's Bill 178? Such action triggers resentment and negative reaction in other provinces. I feel, Mr. Speaker, that the Distinct Society Clause will undermine the Charter of Rights and Freedoms. All Canadians should have common rights and freedoms regardless of where they live, and we should do nothing to change that.

Canada is a large and a diverse nation. The population is not spread evenly across the country, therefore not all populations have the same representative power it needs in the House of Commons. The smaller provinces need an institution that can help it to fully participate in the Federation, and Newfoundland's desire to participate fully can be first addressed with Senate reform. That institution has the potential to be the most effective source of provincial input on the national level.

Mr. Speaker, we cannot entrust the livelihood of our children solely to the House of Commons, not when the interests of the smaller provinces are outnumbered by those

of the larger provinces. For Confederation to work the national decision has to be made with the interest of the nation at heart. This is the role of Parliament including an equal, elected and effective Senate. Right now, Mr. Speaker, the Senate is, as we all know, nothing more than a retirement home for old politicians. It is a fountain of patronage of the highest order. It may as well not exist as it cannot effectively represent the interests of the provinces it is there to serve.

Should Meech Lake pass Mr. Speaker, the potential which exists now would be eradicated. Meech Lake will move to institutionalize patronage, with the Amending Formula under Meech Lake, Mr. Speaker, Senate reform requires unanimity. This would allow any one Province to hold up Senate Reform. Should Meech Lake pass, Quebec will have what it wants and then some. The smaller provinces would remain tied in to the regional disparity it has come to know. By nullifying any change of Senate reform Newfoundland's brightest hope for becoming a full, equal participating member of Confederation will be lost. Senate reform Mr. Speaker, will put us on an equal playing field with the remainder of the country. We would be able to utilize voting powers on issues that affect us. We would not, Mr. Speaker, be held hostage to the interests of Central Canada.

Mr. Speaker, I believe that the ratification of the Meech Lake Accord will deepen the division in Canada. It has already, primarily due to the process implemented by the Prime Minister. I believe that this kind of trickery has done more harm to the unity of

Canada than the refusal to sign the Meech Lake Accord. The tactics of the Prime Minister and the way he manipulated the process, and the flippant way he bragged about it has shattered the trust Canadians have had in a fair and democratic system.

Everyone realizes the process is flawed. Mr. Speaker, the flawed process has denied the Canadian people the democratic right to have input into this process. Denied them the right to express their views on their own Constitution, and as a result the unity of Canada is now at stake. If the unity of a nation is at stake then surely deadlines can be changed to accommodate the people of this nation. I believe that the division which has been created can be reduced tremendously, and the power to do that, the power to provide for that lies solely with the Prime Minister. I believe even at this late hour Mr. Speaker, that this can be done and if it can be changed Mr. Speaker, we must debate the issues on their merits, and if we allow the debate, we must not conduct it under an atmosphere of fear. To try and force one side or the other by blackmail tactics or fearmongering will only cloud the issues and further divide this country.

Mr. Speaker, it is unfortunate that those who support this constitutional amendment have not seen fit in the last three or four months to discuss and debate the Accord on its merits. They have chose instead to defend it by suggesting that failure to ratify or pass this Accord will have serious consequences for the country. They have tried to plant fear in the minds of Canadian people. They have tried to create

the impression that Canada is on the brink of disaster. And that we can no longer discuss the issue. When Canadians offered discussion and debate, the answer they got back was - no compromise. It is a strategy, Mr. Speaker, that has not worked. This strategy has raised more concerns about the Accord.

In my district many constituents were asking; why are we pressured into making a decision? The constituents want to know why they have not been told about the merits of the Accord, and why the Prime Minister does not want a national referendum. The question was asked many times; what are they trying to hide? Mr. Speaker, people have become very suspicious of the tactics used. A number of people feel that they are being forced into accepting something that they are not sure what it is all about.

Why are so many Canadians strongly opposed to this deal if it is good for the country? Why hasn't the benefits to Newfoundland and the country been explained to us? The supporters of the Meech Lake Accord have had ample time to sell the Accord on its merits; but chose not to do it. This has prompted many to say no to the Accord. What is certain, is that today there exists in Canada a large number of Canadians who are strongly opposed to the deal, and the manner in which the Prime Minister has chosen to deal with the issue. The manner in which he has tried to resolve the impasse has indeed appalled many Canadians and has raised the anger of many.

Mr. Speaker, the many telephone calls, the letters that have come to my office; and the Government Members, the letters that they

have received as a whole, and I am sure that the letters that the members from the opposition have received from all across Canada, from Canadians of various ethnic backgrounds and different walks of life, many opposing the Meech Lake Accord. This is indicative of the serious concerns of Canadians about the impact of the Accord on all Canadians. It would appear that there is growing opposition to the Accord in every Province in Canada.

Like many of many colleagues in the House, over the last two weeks, I have consulted extensively with the constituents I represent. I have conducted a telephone survey of some 1,200 people in my District. I have also met with some 300 individuals; in fish plants, local stores, in their homes, in schools, and on the wharfs. They have many concerns. The state of the fishery is a concern for them. The effect of Bill C-21, on the plant workers. The poor prospect for the caplin fishery, and the inshore fishery. Mr. Speaker, I have found as well, that they are concerned about the issues surrounding Meech Lake. When we talked about it I found many constituents had very strong views. Many thought the process was wrong. They felt that it did not allow Canadians an opportunity to express their views and have input. Of those that I interviewed, Mr. Speaker, through the survey, 700 felt that I should reject it, 200 felt that I should support it.

Mr. Speaker in recent days I have paid particular attention to the proponents of the Accord to determine if what they have to say about the Accord has merit. Are there positive points about the

Accord that could benefit Canada and, as well, be accommodating to the needs of Quebec? These are the reasons, Mr. Speaker, given as to why we should sign the Accord. These reasons have nothing to do with the merits. We are being told that we have to sign the Accord or Quebec will separate. We have to sign the Accord or Canadian unity will be destroyed. It is a flawed document devised from flawed process, but we have to accept it for the sake of the country. Our economy will suffer if we do not sign the Accord, we will lose our social programs, Newfoundland will suffer economically. These are the reasons that we are given to accept this Accord.

There has not been one word about the benefits or the merits of this Accord for the nation as a whole. The supporters of Meech Lake have not tried to sell or promote the Accord on its merits so that the people could clearly understand both sides of the debate. It is not enough to try and rally around the Canadian unity question as a reason for passing the Accord. Nor is it right to use economic terrorism to force us to submit to the Accord. Mr. Speaker, if Canadian unity is at stake and as the Prime Minister said, 'It is at stake,' I say to the Prime Minister, Mr. Speaker, 'If you love this Nation as much as you say you do, and if you love this Nation as much as we all do then, please, for the sake of preserving Canadian unity, please take immediate actions to provide all Canadians with the opportunity to say their piece.'

Mr. Speaker, if the Prime Minister fails to provide the Canadian people this opportunity then I believe we have no choice but to

vote against the Accord. So that a new process can be started, the process must provide for maximum input from all Canadians. We must never leave the future of this country to be decided by eleven people bargaining under pressure behind closed doors. Above all, Mr. Speaker, it must never be left to a handful of legislators to decide without providing input from every Canadian who desires, we cannot pass the Accord until we have provided Canada with that opportunity.

The Premier of Ontario stated that Canadians are congenial and accommodating people. I believe he is right, but Canadians feel they have been left out of a process and overlooked. The three year time period, I believe, was placed there to allow ample time for Canadians to express their views. There was ample time for debate, Mr. Speaker, I do not see anything wrong with the First Ministers forming an agreement for a working document as they did in 1987. But the agreement that they reach should not necessarily be the final document. The three year period provides for the opportunity for Canadians to learn about the issues and to have input into the process. The onus is on the Federal Government and the provinces to provide a means whereby the people of Canada can express their concerns. It is obvious that the Government did not use the time to let the people have their say and inform them on the issues. Many people say they would like more information, to be part of the process. The Prime Minister waited until the deadline approached and used pressure tactics to bring the opposing provinces onside. He then proceeded to instill in Canadians the feeling of a national crisis.

Mr. Speaker, I might add that I found the address given by the Premier of New Brunswick to be somewhat disturbing. It raised a lot of doubts in my mind about the views held by the Premier. I found much of his speech to be contradictory. He expressed the view that we could not build Canadian unity on fear, he then proceeded to preach doom and gloom for Canada if we fail to pass this Accord. He talked extensively about the political instability of this nation and the economic instability after Meech, as if it were a certainty.

It is very unfortunate, Mr. Speaker, that we have leaders in this nation who underestimate the commitments of Canadians to Canada. We must not sell the Canadian people short.

Some Hon. Members: Hear, hear!

Mr. L. Snow: People wish to speak as they feel. Because people have different views does not mean that they have no commitment to Canadian unity. On the contrary, Mr. Speaker, the people who oppose the Meech Lake Accord do so because they feel it will weaken the unity of Canada. They are people who believe in a strong Canada. They do not want two nations, or a weak federation of ten provinces.

Mr. Speaker, the passing of the Accord will not heal the scars of this debate, inflicted mainly through the Prime Minister's mishandling of the process. Quebec Nationalists will not be satisfied, and they have said so. Ratification will not reduce the demands of Quebec. If Meech Lake is passed, Senate reform and the creation of new provinces will suffer because of the unanimity

requirement. Many feel that we could end up with a patchwork of programs across this country, all different in nature and in quality.

The concerns of the Native people have not been addressed, and I believe, Mr. Speaker, it will make it more difficult to establish new programs for Canadians in the future.

Certainly, Mr. Speaker, the Distinct Society Clause is likely to have a negative impact on national cohesiveness. The bitterness created by the undemocratic process will not disappear. Many feel that the intent right from the beginning was that Meech would not be changed and that the Canadian people would not be given the opportunity to be consulted.

Because of Meech Lake, Mr. Speaker, this Province will find itself in a system where we will remain second-class citizens for a long time.

Mr. Speaker, in 1951, the average income of Newfoundlanders was 53 per cent of the national average, today, it is only 56 per cent of the national average. Newfoundland is no further ahead in comparison to Canada than it was forty years ago. While there has been an increase in per capita spending in Canada, in Canada's poorer regions, the gap between Newfoundland and the rest of the nation has not improved. The disparity of the 'have not' regions has not been altered to any great extent. While monies from richer provinces have been spent to try to stabilize the poorer provinces, the poorer provinces have not grown to any extent. So when the Prime Minister says the country will be

devastated if Meech Lake is not signed, he should reflect on the realities of this nation.

Mr. Speaker, I believe that the Prime Minister must immediately call the ten First Ministers together and arrange for an extension of the deadline for ratification and hold a national referendum, and allow enough time for debate. This is the only way Canadians will hear both sides of the issue.

I believe that Canadians will do what is right for this nation, but they must be given the opportunity to make that choice. Mr. Speaker, it is by no means certain that the failure of the Meech Lake Accord will cause this country to disintegrate, nor is there assurance that approval will prevent it from happening.

In order to stay together as a federation, all parties must be treated equally under the Constitution. The Meech Lake Accord does not ensure the growth of Canada as a whole, rather, it gives certain provinces privileges not enjoyed by others. Canadians, Mr. Speaker, are open and honest people. They thrive on public discussion, and they are a democratic people. Mr. Speaker, we must take steps to ensure that the democratic process in this country is not lost. Thank you.

Mr. Speaker: The hon. the Member for Lapoile.

Mr. Ramsay: Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure to rise today in this historic debate. Early when the situation was thrust upon us, after the First Minister's

Conference in Ottawa, I felt the burden come on my own shoulders over this important question. And at that time, and many times since then, the burden has been lifted and placed back on my shoulders. And it is a situation which I do not take lightly. It is a situation which will have effects on me, effects on my family, and effects on, I suppose, all the Canadians watching. And possibly to go one step further, on Canada and its relationship in the world.

Now that is one view. We can say whether those consequences will be bad or good. That is something that is subject to interpretation as to whether we think that this is something that will be causing great harm to our nation if the Newfoundland Legislature were to reject the Meech Lake Accord, or if the Meech Lake Accord itself was divisive enough to tear the country apart eventually. As one member who spoke this morning said; he would chose the lesser of two evils. And it is not a question of black and white. It is a very grey question.

I think I speak for all other members in saying it has been very trying times over the last number of days. And I can only speak of my own experience, I suppose, to offer to everybody here and all of the people who are following these proceedings, the experience in travelling to my District and seeking out opinions of the many people throughout the District and trying to come to some conclusion. And the numbers of people that I have spoken too - you try to make sure that you are not colouring the questions that you ask. I realized initially that I was leaning one way. I was leaning to the side of rejecting the Accord initially. And I could

very easily take an undecided individual and twist their perception of the situation to get the result that I wanted.

And one of the first gentlemen that I met, a Federal Government employee - we were sitting in the lunch room of this Federal Government office and he said; you're campaigning. And I said; hold on here. This is something that is very difficult. I must try more readily to offer the other side. So I then tried to balance it. And I thanked that man for the courage he had to interrupt me and say, you are pushing just one side of it. And from then on I tried very, very hard to make sure I was offering an honest opinion on both sides of the issue. And sometimes it would sway the people who said they were against it. And when you offered them the distinct possibility that there would be retribution or there would be economic consequences that we would have to deal with, regardless of whether it was an intended financial consequence or not; that these things would happen. And when that was offered to some people, they then changed their mind.

The results of the survey that I did can be looked at in many ways. I took the route of having a polling firm do the survey. And like anyone else here, you cannot always just look at what a survey says. I know the general opinion of the people in my District is an opinion to reject the Meech Lake Accord by a very, very strong margin; those against the Meech Lake proposition. Now, we cannot always say that we know why they are against it. In discussing it with them you can come up with some of the reasons. Whether it be a following that the Premier

has developed throughout the Province and throughout the country that is swaying people's opinions, whether it may be the distinct knowledge that people have proven to me they do have, in spite of some of our earlier thoughts, that the public was uninformed, they tended to be very well informed. In my deliberations with them I often did say, 'It is no easier to decide no matter how informed you are.' They also in reply to that said to me, 'You are very right in that.' They would say, 'You know, Mr. Ramsay,' as they often say, and I sort of being the age I am and a little uncomfortable with being called Mr. Ramsay, at times, I would correct them and say call me Billy. They would say, 'You know it is difficult,' but I tried to make them feel as comfortable as possible speaking about something with someone they felt knew a lot more about it than they did. Granted, maybe I did in some cases.

But the feelings they had are something that I could not deny, strong feelings. Just some of the results of the survey: it was a 70/30 split, 70 per cent were against the Accord. If they were asked, 'If your MHA thought it was likely that Canada would break up if the Meech Lake Accord did not pass', it switched around. It went 60/40 the other way, 60 per cent then said maybe it is something you should pass. So that, I guess, the basis of that question would allow it to be my judgement if I thought Canada was going to break up because of the Meech lake Accord not passing, then, through that survey if you can read that into it, maybe I should be the one to make the decision. Then, another question that was asked in the survey, I

will just read it verbatim, 'If in the opinion of your MHA the Meech Lake Accord is seriously flawed should he vote for or against passing the Meech Lake Accord regardless of possible serious consequences to the country?' It then went 81 per cent against voting for the Accord versus 19 per cent for the passing of the Accord. So you can see the emotions that we have possibly all gone through, everyone in our own districts is also experiencing this. Well, if it is really going to be bad maybe we should support it. But if it is seriously flawed, maybe and almost certainly we shouldn't. That I read into these statistics.

But again statistics do not tell feelings that people have. They do not tell the whole story. I have gone through a lot of trying times since as the hon. Opposition House Leader mentioned, we were on a Parliamentary Conference on Saturday past with other members of different Houses throughout the country, and these people all have their own views. These views are all very important and they affect an individual member who is sharing with other members these various experiences. At that time I felt, goodness, we have to get this over with, we have to approved this thing, and that was what was in my mind at that time. I returned home and we had a meeting and discussed things and I changed my mind again. I thought no, this is a bad situation that we are in. This is something that I should not support. I then get a reinforcement of that position from the people of my District, again, of two minds, I suppose, you could say.

There are some points I would like to make about this and some things

that I have noted of interest in reading a lot of the mail that people have sent me from all over the country, certain things that I picked out of that, because it is impossible to read all this mail. You could try but with all the time that we have been spending here and the variety of views I guess, a lot is repetition. I did come across one note, and it is a point of history which I found very interesting, it concerned defending Quebec. One gentleman who wrote said, in speaking of 1775, the Royal Highland Immigrants, who were of Johnston, in Newfoundland, defended Quebec City from American Revolutionaries. And I thought that was very interesting. Newfoundland defending Quebec as opposed to some of the thoughts that Quebecers now have because of our possible rejection of the Meech Lake Accord, and I say rejection of the Accord and not a rejection of the people of Quebec.

We often hear about the 1982 Constitution. The 1982 Constitution being flawed, as we speak of a flawed Meech Lake Accord and Quebec's five demands. Something that is often failed to be mentioned is that the 1982 Constitution was drafted and developed with a lot of input from the, at that time Separatist Government of Rene Levesque. The final document did have some firm accommodations for Quebec in it, even though the Quebec Government of the day chose not to sign it. I have often heard from people in my District who ask me where Quebec is going to go, speaking of the reality of our geography, where is Quebec going to go? And I wonder, you cannot take a land as big as ours and take a part of it like Quebec, dig up the borders and put it somewhere else. No

matter what would happen they would remain where they are, whether they, in the future, did choose as I hope they won't, they did choose some other form of Confederation with Canada, some other deal as we may call it, I would certainly hope that they will not separate.

As this morning's session draws to a close, Mr. Speaker, I have a few words that I want to say and I have a couple of statements that I would probably finish up in starting off again this afternoon. But I do want to say to the people of Quebec that a vote by the Newfoundland Legislature against Meech Lake is, and I stress this after having said it before, is not a rejection of Quebec, but simply a rejection of the Meech Lake document itself. That is the key to it.

Some Hon. Members: Hear, hear!

Mr. Ramsay: Mr. Speaker some of us who think that the Accord will augment the possibility of the poorest province to remain so, do have to stand and vote against the Meech Lake Accord. We have strong feelings on this, some of us, and I sincerely hope that we and the people of Quebec can work together to solve this problem in the future. Mr. Speaker, en francais, pour la Francophonie ici dans Terre Neuve et dans Canada. Je ne parle pas francais mais je voudrais dire aux personnes de Quebec qu'un choix de vote, contre l'Accord Lac Meech n'est pas un refus de Quebec mais simplement un refus d'un document. Il y en a de nous qui croient que l'Accord de Lac Meech va augmenter la possibilite de la province la plus pauvre au Canada a rester la plus pauvre. J'espere sincerement d'etre capable de resoudre ce

probleme dans le futur. Thank you, Mr. Speaker.

Mr. Speaker, I move we adjourn debate until this afternoon's session.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, I just want to -

Mr. Speaker: Is it agreed to stop the clock?

Mr. Simms: Yes. Just for a second, I just want to offer to members opposite the opportunity, if they so desire, as has happened many times in the past, to stop the clock and continue the debate if they would like to, we are quite prepared to do it rather than waste or lose two hours time because, as the Government is aware, by agreement, we have offered to debate another piece of legislation which the Government feels it requires. We are quite prepared to co-operate with that. If we have to take two hours adjournment now, and then another two or three hours in the afternoon session, we could be into the night session and all the rest of it, so just in a spirit of co-operation maybe they might want to consider that.

There is also the question of the Question Period which the Government has agreed to provide, which we have not yet been able to fix time for because of other circumstances. I wonder if the Government House Leader might be prepared to do that.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Thank you,

Mr. Speaker, just for a moment.

We are not prepared to sit through the lunch hour. There are a lot of things that have been arranged. I personally have some very pressing things that I have to do during that two hour break and many members here have the same things arranged. There are four speakers left. They can easily be dealt with in the time frame that is allotted this afternoon. So we would prefer to break for the two hours and come back and finish off with the four speakers.

Mr. Speaker: The House stands adjourned until 3:00 p.m.



Province of Newfoundland

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VERBATIM REPORT
(Hansard)

Speaker: Honourable Thomas Lush

The House resumed at 3:00 p.m.

Mr. Speaker in the Chair.

Mr. Speaker: Order please!

The hon. the Member for LaPoile.

Some Hon. Members: Hear, hear!

Mr. Ramsay: Mr. Speaker, I have a few minutes left to clue up my remarks with regard to this Meech Lake Accord debate. I am sure, as most people know, some things have transpired since we last were here. The Manitoba Legislature has closed as we understand, and notwithstanding that, Mr. Speaker, I have a few other things, that I feel I had best remark on for the sake of my constituents. When I polled my constituents and discussed with them the different things, this was to be a substitute for a referendum. This was to be something that we would take their views and bring them here to the Legislature. Some Members have chosen other than that. They have chosen to utilize their own good judgment and I do not decry that in any way. It is to each of you who have been elected as to how you choose to vote.

Mr. Speaker, there is a certain irony in all the mail we have received. Newfoundland and Newfoundlanders especially have often asked for a helping hand. A helping hand for a sense of dignity, not a helping hand because they have no real desire to be always asking for help. A lot of people wrote us, all of us, and asked us to be their helping hand, to extend to them, possibly, some sense of consideration in what they have to say to us, in our deliberations here in this Chamber. And Newfoundland is also

one, as it is often mentioned, the poorest Province. As the Province which is the youngest of Confederation which needs a helping hand. Often times Federalism, as we know it now, does not allow that helping hand to come through, in the way we think best. Because of things such as our Free Trade Agreement, GATT and a variety of things, that prevent the Federal Government from enacting programs which may cause some difficulty here or there, as far as international trade goes.

Mr. Speaker, constitutions in general, if you can generalize such a subject, that is as important, are for the people. And I have a few quotes, about which our constitution may mean to some of us. These quotes often are in light of the American Constitution. Their youthful Constitution debates happened back when they were first to become a nation, when they were first born in 1776. The time following that is when they developed their Constitution. A time which we are now, after having ours home since 1982, we are only in the ninth year of our constitutional development. It is but a short page in a very long book, this country of Canada. We are but very, very young in constitutional development, and let us not forget that. Let us not lose sight of thinking everything has to happen now.

I quote Henry Clay speaking in the Senate of the United States, January 29, 1850. He said then that their Constitution was made not merely for the generation that then existed, but for posterity unlimited, undefined, endless, perpetual posterity. I think that may apply to the future that we

will see of our constitutional development.

There is another quote just before I finish up, Mr. Speaker, and that quote states, 'The Constitution does not provide for first and second class citizens.' Mr. Speaker, we have heard the raging debate at times, I do not want to inflame tensions that may be created because of the situation we now find ourselves in anymore, but there are certain precepts on which we are elected, precepts on which we develop ourselves as we grow and learn, and we cannot deny that which makes us responsible to the people of the Province and to all of Canada. This debate belongs more to the future generations of Canadians and Newfoundlanders than it does to us.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for St. John's East.

Some Hon. Members: Hear, hear!

Ms Duff: Mr. Speaker, Mr. Premier, and colleagues. This is the fifth time I have rewritten a speech in the process of my consultations and listening to this debate. I hope it will be the last time. As members of this Legislature we are all sharing an extraordinary and difficult experience. It has affected different members in different ways. But I think we have all felt to some degree the strain and the tensions of this responsibility.

I would like to say to you, Mr. Premier, that although I disagree in substance with some of your conclusions and interpretations

with regard to the Meech Lake Accord, I admire greatly the dignity and the calm persistence with which you have conducted yourself on this issue, and how you have elevated the level of national discussions. You are held in very high esteem across Canada and in this Province, even by those who disagree with your conclusions. I believe that at this moment you are torn, just as I am. I also want to thank you for inviting the other First Ministers and the Prime Minister to address this House and to thank them for accepting your invitation. And finally I would like to thank my caucus for allowing me to speak so late in this debate to give me time to consider my judgments, to re-examine my conclusions in the light of my consultations with my constituents. It has prolonged the pain, but I think it will result in a better decision for me.

It has been made very clear to all of us that the traditional constitutional process followed in the Meech Lake Accord is unacceptable, and that the unanimity clause contained in the 1982 Constitution is unworkable. That is one of the positive results of the debate on the Meech Lake Accord. It is also clear that constitutional change must allow for a comprehensive education and public hearing process. Most importantly the process has raised the consciousness of all Canadians and our First Ministers about the other issues which must be addressed before we as a nation complete our constitutional journey: Before Canada has a Constitution which recognizes diversity, protects equality, and embraces the real concerns of the disenfranchised and the

disadvantaged.

I do not agree with the Minister of Finance that this debate has been good for Canada. It has not brought us together. It has raised old hurts and resentments and it has created wounds that will take a long time to heal.

One of the most serious questions I have had to ask myself, and I have asked myself again and again, is whether or not the provisions in the Meech Lake Accord prevent us from addressing these other issues in the future. If the answer is yes, if this is cast in stone, then perhaps the Accord may well be fundamentally flawed and should not be adopted. I have also asked myself: if the Accord is rejected, what are the realistic chances of starting again at square one on June 25th, and addressing these issues of aboriginal rights and economic disparity and Senate reform. I weigh that against the chances of derailing this process at the level of the Quebec/Canada issue, and precipitating a continuing constitutional crisis and all that that entails.

I have reached the conclusion that while the Meech Lake Accord is imperfect, in the addition of Senate reform and the inclusion of the new provisions to the changes requiring unanimity, and perhaps in what it excludes or what it did not address, that it does not affect the resolution of aboriginal rights. These issues can be resolved as easily with the Meech Lake Accord as without.

I believe that the Accord is not fundamentally flawed as I have heard said repeatedly in this House, over the past week. I also believe that rejection poses a

great risk to continued progress in constitutional development, a great risk to Canadian unity and a great risk to the Canadian economy, and therefore to the fragile economy of this Province.

It is not fearmongering to face possible or even probable consequences as some have suggested. I reject the thought, absolutely, of any economic retaliation for the exercising of our democratic right to say no, if in our consciences we believe that rejecting the Accord is a threat to us or to Canada. The economic risks are based on the probability of economic repercussions as a fallout from political instability.

Mr. Premier, the task you gave us last week was not an easy one. You have asked us to consult our constituents and our conscience and you have directed us to think of Canada. The task called into question our basic definition of ourselves - of our role as legislators. Are we simply representatives of the opinion of our constituents, or are we simply trustees elected to assume responsibility for making informed judgements on behalf of those we represent, or some combination of the two?

I believe it is the combination. In this case I believe the consultation process was extremely important, as consultation is an essential part of informing, of refining, and of challenging the judgement process. It would have been easier, Mr. Premier, if you had made the decision, although I can certainly understand the weight that was on your shoulders. It would have been easier, if we could have held a referendum and asked public opinion to decide, but you have

devolved that responsibility to me and to my colleagues and we have reached the decision point.

There is another dilemma - you have asked us to consult public opinion. How do you weigh public opinion, Mr. Premier, when that public opinion has already been heavily influenced by the very articulate opposition to Meech Lake, expressed by you, over many months? Mr. Premier, this is all the more relevant considering the very high esteem in which you are held. When a message is complex, as the Meech Lake Accord is, and particularly when it is further complicated by a dozen side agendas that have nothing to do with the substance of the Accord itself, people are apt to choose the messenger rather than the message.

In Newfoundland if we are choosing a messenger and the choice is between our Premier and our Prime Minister, who do you think the people of Newfoundland would choose? We are all, every one of us, concerned to make the right decision. We all seek the same objective, to choose the path that will best lead us to a strong and united Canada, one that will reinforce the fundamental principles of a caring and tolerant society, one which respects diversity and seeks to understand and address the needs of the less fortunate. We are hostages, all of us, to some extent, to our geography and our history. We are hampered or helped, to some extent, in our search for what is right by our own experience and by the preconceived ideas which we all carry within us. We are all troubled by the damage that is being done to our country and to ourselves by the continued

indecision on this issue.

If what we have at this moment, as members of the Legislature of this Province of Newfoundland and Labrador, is power - power to decide the future of Canada - it is a power I do not want. If what we have is an onerous responsibility at a critical time in the constitutional development of Canada, then this is a responsibility I did not seek, but it is one I feel I have to approach with the greatest seriousness, with the most profound examination of conscience, information and judgement.

Meech Lake is not the beginning or the end of the constitutional development of our nation, but it is a critical crossroad. I have tried to follow both paths: the path of rejection and the path of accepting. I have tried to assess the benefits and the risks of rejecting or accepting the Meech Lake Accord. Is the Accord a constitutional straightjacket, or is it a step in a historic process which we should take in order to move forward to other important steps in our evolution as a united nation?

Is the Meech Lake Accord perfect? No, but I feel it's most glaring imperfections are in what it does not address. Can they be addressed in the future? I think yes. What are the realistic economic risks of either course of action, not based on fear, but based on an analysis and sound advice? Is there a right answer? The corollary of that being, is there a wrong answer? Who is harmed and how much if I accept this Accord, and who is harmed and how much if I reject it?

I did not begin this process of thought and consultation last week. I entered this House of Assembly a little over a year ago with deep concerns about Meech Lake, and knowing that I had a responsibility to be informed, I cleared, at that time with my leader, my right to vote my conscience on this issue, should I ever need to do so. At that time I wanted the Meech Lake Accord to be perfect.

Meech Lake has preoccupied my thoughts and a great deal of my free time for months. Just on a lighter note I would like to tell you, from the point of view of my family and my husband, he has threatened to divorce me and cite Meech Lake as a correspondent, if we do not get this over with.

I have read extensively and thought out opposing views. I have talked to people in my District and in other parts of Canada. I have sought to talk to people in Quebec, because this is very important for the people of Quebec, and I wanted to understand the significance of this decision for them.

I confess I have strong positive feelings for the Province of Quebec. I lived there for seven years. One of my children was born there, and I still maintain links of friendship in that province. I believe that our linguistic duality is an important part of our Canadian identity and I believe that Canada and Canadians are immensely enriched by the culture and heritage of Quebec.

I also believe that Quebec has not been always easy to live with or to understand. I am offended as a Newfoundlander by some of the

comments about my Province by Quebecers and other Canadians, as I am offended by some of the actions and words of English Canadians in Canada and in Newfoundland related to Quebec. I want Quebec to find a comfortable place in Canada, but not at the expense of other rights and not at the expense of our recognition of our multicultural diversity.

I have asked myself how these issues are affected by the Meech Lake Accord. Slowly and painfully, over many months, I have come to an opinion, but not a conclusion or a total conviction that the best path for many reasons, the greatest good, would be to adopt the Meech Lake Accord.

Some Hon. Members: Hear, hear!

Ms Duff: Two weeks ago, Mr. Premier, I could afford to rest with an opinion because I did not have the responsibility that I have today. All that changed last Wednesday and an opinion was no longer good enough. In the past seven days, I have been plagued once again by old doubts and uncertainties. I have been through an intense process of consultation with my constituents and others on this issue. I have listened to the First Ministers and to my colleagues, and in my quiet moments I have re-examined my assumptions and my conscience.

Of all my colleagues in this House, I have the deepest empathy with the Minister of Mines. His feelings and his approach have most paralleled my own. I lean to accept based on my own examination and re-examination of the substance of the Accord, and my appraisal of the consequences of accept or reject.

I am tempted to reject, based on the opinions of the majority of my constituents, many of whom have given the most thoughtful consideration to the Accord. I am tempted to reject on the fact that Meech is not a perfect document; on my concerns with the process; on anger with the Prime Minister for the handling of the seven days in Ottawa and his subsequent statements.

I have changed my mind daily as new concerns have been raised by my constituents and in debate. I have followed these concerns up. I have phoned Ottawa. I have phoned various places looking for answers so that I could be sure that my judgement was correct. I have asked more questions. I have doubted my judgement. I have been somewhat reassured by answers to the questions. I have argued with myself. I have fought with my friends and members of my family, and I have been reassured by others.

Last Sunday I had an almost knock-down fight with a brother with whom I have never fought in all of our - I won't say how many years - as siblings. My mother was terribly shocked. She was there. I was so angry at something he had said to me about this. And I thought, this must be what it was like when the Confederation referendum for Newfoundland was there, and families were fighting and friends of long-standing did not speak to each other for months afterwards. That shocked me. It shocked me about myself.

I still believe today after all of that process that the best path is to accept the Accord unless someone can show me the fundamental flaw in that Accord

that is detrimental to the future of Canada. I have searched and I cannot find it.

Some Hon. Members: Hear, hear!

Ms Duff: I have found, Mr. Premier, a fundamental difference of vision for the future of Canada. There is a strong centralist vision and the vision of an evolution to a more confederal Canada, through a devolution of Federal power to the Provinces. This is an honest and fundamental difference of opinion. It is not a fundamental flaw.

Constitutions may guide our future and changes to the structures of Government may influence our evolution, but they are not the only determinant. We must evolve if we are to grow. Which vision best accommodates our strong desire for a whole and united Canada? I am not sure which one is right, or which one wrong, or even if there is a right or a wrong. For those who see this as a pivotal issue in this debate, there will remain a strong difference of opinion.

Meech Lake moves Canada toward the confederal vision. For those who support the Accord it is a more tolerant vision, more accommodating of diversity. It redefines the relationship between provinces and the Federal Government within a united Canada. For those who oppose the Accord it is a recipe for the entrenchment of economic disparity and continued disunity. We can only base our judgements on an assessment of probability and an evaluation of risk. Into this whole process then comes another serious consideration, the responsibility to consult with the

people I represent. I will speak for a few moments about this process of consultation which I have undertaken. I have had contact with 662 people in my District in the past seven days. This only represents somewhat less than 9 per cent of all my constituents but it has been an intense contact, emotional, and thought provoking. It is not easy to reduce to numbers and it is not a numbers game. Of the 662 people who have contacted me, or I have spoken to, 217 have phoned me at my home, or at my office, in responses to advertisements. I have talked to 151 of them personally, sometimes for as long as forty-five minutes, sometimes for ten seconds. Anyone who wished to discuss the issues with me I have done so, and many did, because there were some deep concerns. I apologize to the others who have left messages since we have returned to the House of Assembly, because I simply have not had the time to follow-up on their phone calls, and I hope to be able to do so, probably next week. In addition to those 217, 347 were polled at random in nineteen polls and 84 were canvassed by me at the door in seven other polls. I have also received letters, for and against, thoughtful, well written letters.

I have received other letters, as all of us have, from all across Canada, but I feel that my decision in this has to be weighted by my constituents and not by a ton of letters from outside the Province. I felt it was extremely important to know why my people in St. John's East felt as they did about Meech Lake, and in particular what were their major concerns. That is why I have approached it, as I have, with an opportunity for all to

register their opinion and concerns but with an emphasis on more in-depth discussion of these concerns, because I had deep concerns about my own judgement. This consultation has been helpful and painful.

The level of accept or reject varied with the type of contact, with the highest rejects coming from spontaneous phone-ins and the highest accepts from the door to door contact. Thirty called back in the last three days to change their vote in both directions on this issue. Some callers were abusive and threatening, but most were considerate, thoughtful, and concerned. Many were influenced in their opinion by the concerns voiced by the Premier. Most expressed concerns about the process. Some had an in-depth knowledge of the Accord and were fundamentally opposed, based on the need for a strong central government.

The most commonly expressed concern was about the Distinct Society Clause, because they felt it created two classes of citizens, because they felt it gave too much power to Quebec, because Quebec already had too much, because they felt it overrode the Charter of Rights and Freedoms, because they felt it would take rights away from them, and because they felt it would make them unequal. These are the concerns that were expressed to me. The next most often voiced concern was the Unanimity Clause and Senate reform, followed by concerns related to the Province of Quebec and whether or not it would separate anyway, that sort of general concern, followed by aboriginal rights and other issues.

There is a level of fear and and

distrust related to the Province of Quebec in my district. Not universal, not directed against the people of Quebec, but against the politicians of Quebec. Seventeen people asked me to reject the Accord, with no other reason other than that I should support the Premier, seven with no other reason other than they did not like the Prime Minister. I regret that time does not allow more elaboration on this consultation.

The net result is that sixty per cent of my constituents, as of Tuesday night, have asked me to reject the Accord. Many have very strong feelings that I am obliged to follow their wishes as their representative, and have not been hesitant to express their views on the political consequences if I do not. One of my favorites was that I would not be elected rat catcher in the City of St. John's if I did not vote against the Accord.

I would like to deal with just a couple of the points of substance, because they concern my constituents, and I feel I owe them to give them my opinion on this issue. Dealing with the Distinct Society Clause and its meaning and its consequences caused me the most difficulty, as it has my constituents. Time does not permit me to deal with the technicalities of the issue, but I would like to state my sincere belief that what this interpretive clause does is to give tacit acknowledgement to the special legislative role of the Province of Quebec in preserving and protecting their distinct language and culture within the Province of Quebec. It does not affect the rights of people outside Quebec in any way, including my constituents. It can only be

related to the Charter of Rights within Quebec. It does not have the force of the existing notwithstanding clause, which will remain whether we reject or accept the Accord. It is an interpretive clause and it is impossible to say with certainty how it will be interpreted by the Supreme Court of Canada until such an interpretation is given. But to believe that it will be interpreted to override the Charter, even as a marginal possibility, is born of a lack of faith in the Supreme Court of Canada, which has turned down the signed legislation where the notwithstanding clause was invoked. It is to ignore the strong democratic traditions within Quebec.

Quebecers care passionately about human rights and they have the best Charter of human rights in Canada.

Some Hon. Members: Hear, hear!

Ms Duff: They have the best track record on aboriginal rights in Canada.

Some Hon. Members: Hear, hear!

Ms Duff: This clause does not take anything from me or my constituents. It does not make me less equal or less special. It only acknowledges our cultural differences.

On the issue of Senate reform I think we have to invoke the concept of realism. Although the unanimity clause can make it more difficult for the Senate reform to pass, realistically I do not believe that without the consent of Ontario and Quebec this Senate reform is likely to become a reality. All Provinces have now

agreed to place this as item one on the agenda of the next constitutional conferences, and all have agreed that Senate reform is needed. I do not know what form it will take, but I asked myself: If the Meech Lake Accord is rejected what are the chances of having this issue dealt with?

Does Quebec get too much because that issue was raised by over 100 of my constituents in terms of their opinion. Quebec is a richer and larger Province than Newfoundland and sometimes appears to us to be extremely prosperous. But if you look at get too much in economic terms, I would only refer to the Fraser Institute Report which has indicated that per capita each man, woman and child in Newfoundland get ten times the amount per year per capita from the Federal Government than the men, women and children in the Province of Quebec. Partly because they may need less than we do, but they do not get more from the Federal Government.

What does Meech Lake give Quebec that it does not already have? The Distinct Society Clause. The Distinct Society Clause is of tremendous symbolic importance to the people of Quebec and to Quebecers. It does mean saying no to Quebec - after they have said yes to Canada - to reject this Accord. To the people of Quebec it is a matter of cultural survival as a linguistic minority in North America. If anglophone Quebec says yes, should I say no? If the feminists in Quebec say yes, should I say no? Because a plague of lawyers and experts have been mincing words for three years over precise definition, my heart says, yes.

In discussing the benefits of the

Meech Lake Accord it is important to remember that it is an amendment to the 1982 Constitution, and not the Constitution itself. Many other issues that do not appear in Meech are covered and remain in the Charter of Rights and Freedoms and in other legislation. It is also important to remember that 1987 was the Quebec round called specifically to deal with the inclusion of Quebec in the Constitution. That is why the benefits of the Accord lean heavily to the role of Quebec in the Canadian Constitution. I would like to ask those of you who will reject, because your issues are not addressed in the Accord, to ask yourself if you realistically think these issues can be addressed without Quebec at the Constitutional table?

I would like to ask those of you who are comforted by the support of other Canadians, to ask why, and to recognize that these numbers include many people, some most sincere, but they include three highly organized right-wing lobby groups whose agenda is anti-Meech and anti-French, CORE, APEC, and the extreme right-wing of the Reform Party. They also include the separatists of Quebec and they have organized a very, very, vigorous lobby against Meech through mailings, through Letters to the Editor and through ads. Ask yourself, if you were a Quebecer, how you would feel if something given in a spirit of accommodation is now being taken back in a spirit of fear? Yes, there are benefits to the Meech Lake Accord. It deals honestly and fairly with the legitimate concerns of Quebec and brings Quebec into the constitutional family without taking away the legitimate rights of other

Canadians. It fulfills a commitment made to the people of Quebec who said yes to Canada in a referendum, and in a vote to elect a federalist Liberal Government in 1985. It says, yes, to Quebec bringing a very significant benefit to Canada and to Canadian unity. It says, yes, to federalism and, no, to separatism. The inclusion of Quebec in the Constitution will facilitate progress in other serious constitutional issues including Senate reform and aboriginal rights. It allows us to move forward. Is that not a benefit? It benefits the Canadian economy by sending a signal of political stability.

If we come down to it are we not talking of two visions of Canada, one the highly centralized vision of Trudeau, of Clyde Wells, of Deborah Coyne, and others. The other vision is the one of a confederal Canada in the Meech Lake Accord. Colleagues, if you think you are serving Canada ask yourself if you vote to reject: next month, next year, will Canada thank you? If this is a free vote, and I hope it is, I ask you to use your conscience, and your hearts, to say, yes, to Canada and to Quebec.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Mr. Speaker, at this point, after consultation, we would both like to suggest a brief recess and come back shortly.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: I concur with that. We do not know how long, but

hopefully, not too long.

Mr. Speaker: The House will recess for a brief period.

Recess

Mr. Speaker: The hon. the Leader of the Opposition.

Some Hon. Members: Hear, hear!

Mr. Rideout: Mr. Speaker, first of all, I want to say that, unfortunately, I regret not being here to listen to most of this debate over the last three or four days. Members and the general public know the circumstances why I was not here, and I want to take the opportunity in this first public way to do so, to thank especially the Members of the House of Assembly, on behalf of all our family for their sympathy and condolences that was so greatly passed on to us on the passing of Dad.

I want to also take the opportunity to compliment all members who have spoken so far in this debate. I think members, on both sides of the House, all members, without exception, from what I have had an opportunity to observe, conducted themselves well. They spoke eloquently, they spoke with feeling, they spoke from the heart, and the decorum in which this particular debate is taking place, I believe, Mr. Speaker, has been something that has not been witnessed in this House for quite some time and that is a compliment to all members.

Now, Mr. Speaker, when I began the process of preparing for my remarks here today, I had anticipated that I would be,

second last, next to the Premier, participating in this debate, calling on Members of the Newfoundland and Labrador House of Assembly, as I have now on two occasions past, to ratify the Meech Lake Accord.

I had anticipated that I would be making my plea to all Members of this Legislature to put aside our differences, to put aside some of the fears and anxieties that we may have built up in ourselves over the last number of years about the possible flaws of the Meech Lake Accord and for the sake of Canada, to make a decision, us legislators here, to make a decision for Canada. That's what I had anticipated doing for the time that is available to me in this debate, today, Mr. Speaker.

But this debate, over the last three years, has taken one twist after the other. We saw all Legislatures except Manitoba and New Brunswick ratify the Accord in the first year or two of the finalization of the Accord. Then we saw this particular Legislature rescind approval that had already been given for the Accord. Then we saw the process continue again through the seven or eight days of First Ministers Meetings in Ottawa, a week or so ago, where there finally was, once again, an arrangement reached whereby the Legislature of Manitoba would use its best efforts to ratify the Accord to bring it to a vote. The Legislature of New Brunswick would do the same thing and the Legislature of Newfoundland would do likewise. So out of all this three year process, Mr. Speaker, there has been something new happening almost every day, particularly in this Province, over the last twelve months. So having come here, Mr. Speaker,

this week anticipating that we would use our collective wisdom today to ratify, to vote positively, because that is what I had anticipated this Legislature would do. I had anticipated that this Legislature would vote positively, this Legislature would ratify the Meech Lake Accord for Newfoundland, and for Canada, that is what I had anticipated.

Some Hon. Members: Hear, hear!

Mr. Rideout: Now, Mr. Speaker, we find ourselves in another set of circumstances. We, many of us, not myself so much, because of circumstances, but many of us spent the last several days going throughout our constituency, seeking the advice of our constituents, listening to that advice and weighing that advice with our own judgment and our own experience, to come to a final decision here today. The Government even provided additional financial resources for Members to do that, Mr. Speaker. The people of Newfoundland and Labrador, Mr. Speaker, today want a vote.

Some Hon. Members: Hear, hear!

Mr. Rideout: Forty seven per cent of the people who were polled in this Province last night wanted this Legislature to vote YES for the Meech Lake Accord, Mr. Speaker. Thirty seven percent of those polled wanted this Legislature to vote NO, and Government Members can grin at the results, Mr. Speaker, but they were scientifically done, by a reputable polling firm, that all parties have used from time to time in this Province. The bottom line is, Mr. Speaker, that Newfoundlanders and Labradorians expected today that their

Legislators would make a decision. And, Mr. Speaker, I cannot believe that we are not going to take that decision today. I cannot believe the new twist, I cannot believe the new twist that has come into this at the eleventh and a half hour, Mr. Speaker. The Premier, offered this House, his Members, he could only offer his Members, a free vote. I agreed to offer our Caucus, the same thing, and I meant it, Mr. Speaker.

What has happened here now is that because of procedural difficulties in Manitoba, the Manitoba Legislature will not be able to deal with the ratification of the Accord by the deadline. But to keep the hope alive, Mr. Speaker, to hold out one last glimmer of opportunity possibly for Canada, a proposal was put forward that should Newfoundland ratify the Accord today, then the Federal Government would undertake to put the question of whether or not Section 39(2) of the Constitution Act, could be so interpreted, as to allow the twenty third to pass which was the deadline as we all know and to go to the next ratification date which I believe is September 25, done by the Province of Saskatchewan. And if the Supreme Court of Canada ruled favorably on that request, then the Quebec Legislature would be asked to ratify the Accord again, to vote on the Accord again.

The Federal Government, Mr. Speaker, would make that undertaking because all three political leaders in Manitoba have agreed that the Accord will pass. They have agreed to put it to their Legislature, and they have supported it in debate yesterday, all three. And all three believe that the numbers are in the

Legislature to pass the Accord. Here, Mr. Speaker, if we were to go halfway, and do the same thing, if the leader of the Government in this Legislature which has a majority, were to give his undertaking that should the Court decision be positive, if he were to give his undertaking that if the Court decision was positive, this Legislature would ratify the Accord, then that would be acceptable, as I understand it. That would be acceptable. Manitoba would be taken care of and the problem in Newfoundland would be sorted out.

But no, Mr. Speaker, once again for some reason or other, I understand this motion will not come to a vote in this legislature today. That the motion will be adjourned. That it will be deferred. And Mr. Speaker, I say that that is not good enough for Newfoundland and Labrador, and it is not good enough for Canada. There should be a vote today.

Some Hon. Members: Hear, hear!

Mr. Rideout: Mr. Speaker, what is the effect of what will take place in this Chamber, probably an hour or so from now? I understand, Mr. Speaker, that the effect will be as fatal and as deadly as if this Legislature rejected the Accord. The motion to adjourn the debate will mean, in effect, that the Legislature, on behalf of the people of Newfoundland and Labrador, have done through the back door what they are not prepared to do through the front door.

Some Hon. Members: Hear, hear!

Mr. Rideout: Mr. Speaker, I believe that if this motion were put to a vote - I believe, I

cannot be certain - but I believe there is a possibility it might carry. I believe it could carry. But if it does not carry, Mr. Speaker, if it did not carry, at least we would have finished the process. If it did not carry, Mr. Speaker, it was dead, but it is dead now anyway. It is dead anyway, at the hand of the people in this Legislature.

Mr. Speaker, on June 9th, the Premier on behalf of the people of this Province, signed an undertaking in the 1990 Constitutional Agreement. Let me read it all, word for word. Article 1; the Premiers of New Brunswick, Manitoba and Newfoundland undertake to submit the constitution amendment 1987 - which is the Meech Lake Accord - for appropriate legislative or public consideration and to use every possible effort to achieve decision prior to June 23rd, 1990. Mr. Speaker, that was the solemn undertaking of the Leader of the Government in Newfoundland and Labrador.

Mr. Speaker, is there any impediment to decision in this Legislature today? There is only one person left to speak. We have waived every rule in the book for this week. And the commitment that was made to us, made to me personally on behalf of this caucus, was that there would be a vote in this Legislature in time to reach the deadline of June 23, 1990. That was the commitment, Mr. Speaker.

I was shocked. I could not believe my ears. And I am sure people have noticed a running back and forth, and the chatting, and the getting together. People have noticed that I am sure. But I never thought that we would not

vote on this resolution today. I do not believe the people of Newfoundland and Labrador thought we would not vote on it, Mr. Speaker. My understanding is that the Premier said publicly yesterday - personally I did not see it, but I have been told that the Premier publicly indicated yesterday - that regardless of what happened in Manitoba, the Newfoundland Legislature would deal with the question. That is my understanding.

So, Mr. Speaker, the question remains: Where do we go from here? What are we going to say to ourselves when it is announced tomorrow that the Meech effort is over? The Meech effort is dead. There are members on both sides of this House worried, legitimately worried. There are members on the other side of the House who indicated they were worried enough to vote for ratification of the Accord.

But now, Mr. Speaker, without the right to exercise that free vote free vote - without the right to exercise that free vote, Mr. Speaker, that option is going to slip through everybody's hands and tomorrow the accord dies anyway. Some free vote I say, Mr. Speaker. What are Newfoundlanders and Labradorians going to say to us? I mean at least we could stand up like men and women and vote and defeat it if that is what we were going to do. Hopefully it would be vote to approve it, but at least we would have exercised our responsibility. Now it is taken out of our hands, Mr. Speaker, and we, without any say, will let the process kill itself, I guess. We will let it wither on the vine. The process will now kill itself. I would be quite happy if the Premier would give an

undertaking to have the Accord passed at some point, next week, next month, September. I would be quite happy then to support him in an adjournment, quite happy. But today, Mr. Speaker, it is abundantly clear that there will be no such undertaking by the Government. There will be no such undertaking and therefore when you sweep it all away, when you forget all the rhetoric and the great eloquent rhetoric from both sides of the House over the last three or four days, it has been all for naught. It has been all for nothing. We will leave here at some point this evening, there will not be a vote, and tomorrow the Accord will be dead. All of the passion and emotion that came from members on both sides of the House, some of them I had an opportunity to catch once in a while on television over the last few days. You could see the emotion and the turmoil of the decision that had to be made, but it was all for nothing. Think about the soul searching and emotion and difficult times that the ordinary Newfoundlander and Labradorian has gone through over the last twelve or fourteen months, Mr. Speaker. I mean people in this Province, a great majority of people in this Province, have talked about nothing else for the last year, despite the problems in the fishery, despite the uncertainty about Hibernia or the lower Churchill. People have been seized with this constitutional issue, particularly because of the high profile that the Premier gave it.

So, Mr. Speaker, I think it has to come down to this. The question has to be answered: Why won't there be a vote today? Why will there not be a vote today. If it

were a free vote as the Premier promised publicly, what is the Premier worried about? There is a free vote, there has been no arm twisting, there has been no deals cooked or anything of that nature, then why would the Premier be worried about the result of a free vote? You would live with the result whatever it is, but at least you made a decision. Is the Premier afraid that it will pass? I think that is a legitimate question, Mr. Speaker, and I am sure the Premier will respond to it when he speaks but I believe it is a legitimate question that every person in this Province must now ask. I mean have we made a fraud of the process ourselves now? Talk about the process and the back doors and the secret meetings. Somehow or another, Mr. Speaker, we now have incorporated all of us into crime. Is that what we are doing here in this Legislature now, Mr. Speaker? I mean there was promise of a referendum and I understand how tight the time was. I said that privately and publicly to the Premier, but at least the promise had been a referendum. There were promises and commitments of public hearing, and I offered to commit in terms of co-operating in time frames, to make sure that if the Premier wanted to do the hearings, they could be done and we could come back here to the Legislature and vote on it in time for today, every conceivable ounce of co-operation that could be given to the Premier, as Leader of the Government, by an Opposition. In fact some of our own friends, I suspect, are soon going to say that we caved in totally to the Government in terms of the co-operation we have undertaken and provided in this particular debate.

But every single commitment has been broken. That is what I am more concerned about this afternoon, Mr. Speaker, the breaking of commitments. We have certainly been, in my view, dealt with less than honourably. Less than honourably; I will say it as parliamentary as I can. We had a firm solid commitment that with extended hours and everything else, this resolution would come to a vote this day. The people of Newfoundland and Labrador expect this resolution to come to a vote this day. The people in other Provinces of Canada expect this resolution to come to a vote today. First Ministers, all of whom signed this document with our own First Minister, expect the vote to be taken in this Legislature today.

So, Mr. Speaker, it is academic now whether we get up and make long passionate speeches about approving the Accord. It is academic now, Mr. Speaker, about in what balance the future of Canada lies. Because the facts will now bear it out. The Accord will die. That is the advice. I have no reason to dispute it. There will no reference to the Supreme Court. Manitoba cannot do it because of procedural reasons, minority Government and an aboriginal person who is using the rules legitimately. It just cannot be done. But if we were to approve it, or if we were even to give a commitment to approve it, there is still a glimmer of hope for Canada, Mr. Speaker. But we are not prepared to do that, as I understand it. And that I think, makes a very sad ending to this particular chapter of this debate.

This is the third debate, Mr. Speaker, that this House has been through on Meech Lake. The third

debate. Each one of them seemed to get more emotional and more passionate. The rescinding debate is certainly a debate that I will not forget for a long time. Again, all members of the House spoke on it. This debate, from what I have been able to observe, and been here personally for since last night, I think is a debate that will not be forgotten for a long time. But we are not going to have an opportunity to finish it. We are not going to have an opportunity to finish the debate, Mr. Speaker. It is a sad turn of events.

We extended public invitations to other First Ministers to come in and address the Legislature, because it was going to be a free vote, remember, a free vote. So everybody was open to being convinced. Everybody was open to convincing, Mr. Speaker. But now we find that the decision by the Government is to not allow the vote to happen.

Mr. Speaker, I personally - I cannot speak for all other members over here - but I personally feel betrayed. We made commitments based on certain understandings that we thought would stand. I did not have much of an opportunity to hear about this new proposal today and I am sure the Premier will find fault with it. I have no doubt about that. But the fact of the matter is, Mr. Speaker, in attacking the Feds all he likes, that is immaterial, the fact of the matter is that this proposal left a glimmer of hope. This proposal would have kept intact the possibility that Meech Lake would have eventually been ratified by all legislatures in Canada. It would have kept alive that possibility. It would have kept off in the distance the pain

and misery of having to deal with the future of the country after June 23rd.

Now there are those who will argue that the damage is done anyway. That it matters not, whether Meech survives, or Meech dies. There are those who argue that the damage is done, the country will irreversibly change after June 23, that may be so. There are those who argue that if it dies, nothing of any great extraordinary circumstances will happen. That may be so. But, Mr. Speaker, all the advice that I can find, personal, and every other way that you can seek information trying to understand what is happening in Quebec, leads me to believe otherwise. And it is in that context, Mr. Speaker, I had hoped that we would ratify this Accord, for the second time.

Let us take another chance on Canada, Mr. Speaker, constitutions are not carved in stone forever. Our Constitution was only brought home and passed with its Charter of Rights and Freedoms, in 1982. It is only eight years ago, going into the ninth year, that now we are going through our first set of amendments. And they are not perfect, they never will be perfect, but, two, or three or four or five years down the road, we might be going through another set of amendments. Constitution-building, nation-building continues, we do not kill the process, even though we might not always like the process. Let us get on with this building block, Mr. Speaker, should be our hope, and then begin Monday and get on with the next set of building blocks. But no, we are taking the risk here, we are taking the risk here of hauling one of the blocks out of

the foundation. We are taking the risk of the whole foundation collapsing. I said that around this Province quite openly, Mr. Speaker. A lot of people do not want to hear it. They accuse you of fearmongering, and all of that, even Members of this House do it. I call it reminding people of the possible consequences, Mr. Speaker. And I have a responsibility to do that, we all have. And if that gives me the tag fearmongerer, well then, I will wear it. But I do not want it said of me should the worst fears that I have, be realized, I do not want it said of me, Mr. Speaker, that I as leader of an opposition party, did not point out the possible consequences. I do not want that said.

Some Hon. Members: Hear, hear!

Mr. Rideout: Mr. Speaker, I guess there is not much more to say. Like I said, I had intended to make a long passionate speech asking for the ratification of the Accord. I did not know that I in effect, would be speaking as the thing is about to draw perhaps its last breath. I believe that Meech Lake was a new opportunity for Canada, not a perfect one, but I think it created some new opportunities. I think Meech Lake created some new opportunities for Newfoundland and Labrador, particularly as it relates to further constitutional discussion on roles and responsibilities in the fishery.

I believe, Mr. Speaker, that the process of Senate reform that starts with Meech Lake and that is further enhanced in the companion resolution agreed to on June 19, that would have been good for Newfoundland and Labrador, and I believe that certainly good for

Newfoundland and Labrador, and good for all of Canada to make sure that this country is whole, to make sure that this country remains one, Mr. Speaker. The Premier has said on dozens of occasions that 'we have to put the good of the country first'. 'We have to put the good of the country first', Mr. Speaker, the Premier has said on dozens and dozens of occasions. Well today, Mr. Speaker, if the Premier, persists in the decision to not hold a vote, then the good of Canada is not put first. The good of Canada, Mr. Speaker, is not uppermost on the Premier's agenda, if we do not proceed to do what we committed ourselves to do. The Premier committed all of us, Mr. Speaker, when he signed this document. This House, Mr. Speaker, is ready for a vote, and I implore the Premier, on behalf of the people of Newfoundland and Labrador, to have the vote, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Premier.

Premier Wells: Thank you, Mr. Speaker.

I can accept without any sense of concern virtually all the comments the hon. the Leader of the Opposition has made, and accept, within the framework of the normal allowances for genuine differences of opinion on matters and genuine differences that arise from political party differences, without any difficulty, all except one, and that is the statement that they have been dealt with less than honourably. That is most offensive.

An Hon. Member: It is true.

Premier Wells: Now, Mr. Speaker, nobody on this side raised their voice or interfered with the Leader, nor should they have done so. They did nothing any more than they should have done, and I ask only the same courtesy, and I believe the Leader of the Opposition agrees that it should be accorded to me.

Thank you, Mr. Speaker.

It was only that one statement. It was only because of my sense of honour in dealing with the Opposition that I told them in detail beforehand exactly what the situation would be. This only arose this morning, as a result of calls to Senator Murray and the hon. John Crosbie, soliciting their views and advice, telling them what I think the concerns were. I expected to be treated reasonably by them, was not, and I will detail that later. But I told the Leader of the Opposition before the House opened so that he would not be caught unawares, because I have a sense of honour, and a sense that it is necessary for us in this Chamber to deal with one another honourably, so I say, Mr. Speaker, that I can accept anything the hon. the Leader of the Opposition has said, with that one exception.

Now, let me deal with the issues in this debate. I have been trying, Mr. Speaker, for three years now, ever since the Meech Lake debate was first raised, to get this dealt with on a proper basis in Canada, and to do so on the basis of what is right for Canada. First and foremost, what is right for this nation. People have heard me say, and frequently in the past most politicians in this Province have not been prepared to go to public meetings

and say to their electorate, put Canada first and Newfoundland second. I am glad to see that more are doing it these days, but that is the approach we have taken from the beginning, to judge the merits of the Meech Lake Accord on the basis of what is right for Canada first. What are the fundamental principles of this nation by which what is in the Meech Lake Accord should be judged? I have spelled those out so I will not go into them in any great detail at this time. I just want to remind people that first and foremost Canada is a nation that is more than the sum of its parts, and there is more to being a Canadian than merely being the resident of a province or a territory. All of us are interested in what happens in every part of this country, and we have to build our Constitution so that we provide for a unified nation and have a sense of nationhood beyond what is necessary for an accommodation of the individual parts of the nation. Secondly, Mr. Speaker, that every citizen is, in his or her status and rights as a citizen, equal to every other, and we cannot put into our Constitution anything that alters in any manner the status of citizens in one province from that of the other provinces, or any other province. Thirdly, Mr. Speaker, that every province in any true federation is in its status and rights as a province, or state, or canton, or whatever you wish to call it, equal to every other. Our Constitution must provide for that, and we cannot put into our constitution anything that offends that fundamental equality. Fourth, Mr. Speaker, we have to ensure that our Constitution does nothing to interfere in any way with the

commitment of the legislatures and the Governments of this nation to provide for the equal wellbeing of all our citizens from coast to coast, and the equal opportunity to correct regional disparities and to provide for a reasonably comparable level of public service.

Now, Mr. Speaker, I did not make up those words, they come squarely out of Section 36 (1) of our Constitution Act. That is a commitment of this nation, and we must make sure that we do nothing constitutionally that will offend that. Mr. Speaker, I believe that it is also a fundamental principle of this nation that we must build our Constitution in a way that recognizes that while there has been a tremendous contribution to the Canadian multicultural mosaic from all lands and cultures in most parts of the world, not the least of which is our native aboriginal population in this country. Nevertheless, the country was founded on the basis of bringing together the two founding linguistic groups to build a nation that would be based on the building of two languages and we must make fair and proper accommodation for that.

Thus, Mr. Speaker, when Quebec did not agree to go along with all of the other provinces, and there are those who describe the 1982 situation as the exclusion of Quebec, to those I say, you are not being honest with history. You are not being honest with the people when you say that. It is clear that the Government of Quebec of that day would not have agreed to any proposal that provided for the furtherance of Canada as a federal nation. They rejected anything.

There was no opportunity to

proceed on any basis, other than that which was used at the time. Nevertheless, Mr. Speaker, it is entirely appropriate and essential I believe, that we make the kinds of constitutional adjustments that are necessary to fully and fairly accommodate the legitimate concerns of Quebec. But, Mr. Speaker, in the end, whatever we do, we must remain faithful to the fundamental federal principles of this nation. We cannot alter those principles. That's why I was so concerned about the contents of the Meech Lake Accord, and I spelled out these concerns from the beginning, three years ago. We debated them here in this House in 1988, again earlier this year when the rescinding motion was put in place.

Quebec's five proposals that they put forward, were, reasonable proposals. I have no quarrel with them. It was the response to them that was wrong. Nobody can deny that Quebec is a distinct society within this country, it is obvious. Therefore it is entirely appropriate that we should make reasonable accommodation, preferably in the preamble, but even in the operative part, if it is done in a proper way, of the recognition of Quebec as a distinct society. But, we cannot, Mr. Speaker, ever do anything that diminishes the effectiveness of our Charter of Rights. We must protect the fundamental Charter of Rights that applies to all citizens from coast to coast.

We must also, Mr. Speaker, not agree with the affirmation of a special legislative role for one province that no other province will have, thereby altering the fundamental equality of the provinces. I also, Mr. Speaker, agree with Quebec's second

proposal, that Quebec should have a constitutional veto, but only over matters that are of peculiar interest to Quebec by reason of its being a distinct society, over amendments affecting culture, language and civil law judges in the Supreme Court of Canada, that is entirely appropriate, Mr. Speaker, but to create as we did, the burden of unanimity - and I will get to that a little later - but the big problem with what's provided for in the Meech Lake Accord, is the expansion of unanimity that puts us in the terribly difficult situation that we are in today, and will handcuff us for the future.

Thirdly, Mr. Speaker, while I agree with the limitation of the federal spending power in areas of exclusive provincial jurisdiction, nevertheless, it must be done in such a way that will not inhibit, politically inhibit, not constitutionally inhibit, will not politically inhibit the ability or initiative of the Federal Government to take steps to meet its commitments under Section 36 (1).

I was also concerned, Mr. Speaker, with, not affirmation of three judges at least to the Supreme Court of Canada to be from the civil law system of Quebec, but the fact that it would be effectively appointed by the Government of Quebec. I believe this is detrimental and wrong to the federal nation. That there should be at least three judges is entirely appropriate, there is nothing wrong with that, really it is only continuing the practice that has been practiced for a hundred years or more. But it is appropriate because the Supreme Court of Canada is the final determiner of both the civil law

and the common law. And there must be an adequate number of judges on that court to make the civil law determinations that are necessary.

The immigration provisions, Mr. Speaker, I believe, can cause us great harm and great difficulty into the future. I understand Quebec's concern to ensure that it builds up its francophone population, and I support that. And I believe appropriate adjustments and agreements can be entered into. My problem with it is putting agreements, entrenching them in the Constitution in such a way that they cannot be removed by the general amending formula 20 or 30 or 40 years in the future, if we find that circumstances have so changed that those agreements have become destructive of the fabric of the nation. So, we suggested that.

Mr. Speaker, we did those things from a Canada first perspective of what we thought was best from the nation's point of view. And we put that first; not Newfoundland. But we had to look at it also from the point of view of Newfoundland and its people, and its future opportunity. And we cannot be unmindful of the way things have developed in this country in the 40 years that Newfoundland has been a Province of Canada.

I heard members earlier today, I think the Member for Trinity - Bay de Verde and other members, refer to the situation we are in; where we have an earned income that is 58 per cent of the national average. Less than half the earned income of Ontario. We have an unemployment rate, that for the last ten years has been increasing in disparity by comparison with the rest of the country. It has

been more than 10 per cent greater than the national average over the last 10 years, on average. And we have not been able to correct that. Despite great good will and efforts at trying to implement programs to correct regional economic disparity. One after another they have all failed because of the national political structure that makes it impossible to do it. Because of the political pressure, where 60 per cent of the House of Commons comes from Ontario and Quebec.

And in the end the national Government must always answer to the majority. They are not there trying to seek and scheme devious ways to hurt Newfoundland or Saskatchewan or New Brunswick or Manitoba. They are there discharging their responsibilities to put the interests of their constituents first. And that is what they have been doing. And the nation as a whole has been suffering, because there has been no means of balancing the exercise of national power, national legislative power, or the development and implementation of national economic decisions. And I heard the Member for Ferryland this morning talk about getting more power for the Provinces. Well the Meech Lake Accord, he says, gives the Provinces more power; that is what we should want. We do not need more power in Newfoundland. We do not need more power in Newfoundland.

Some Hon. Members: (Inaudible).

Premier Wells: If they have calmed down, Mr. Speaker, I say again, I listened to the hon. Member for Ferryland, and now I ask them to accord me the same courtesy, unless they are so

afraid of truth that they do not want to hear it.

Some Hon. Members: We are not afraid of a vote! (Inaudible).

Mr. Speaker: Order, please!

It was mentioned earlier that hon. members on both sides listened very attentively to every member. Members to my left accorded the Leader of the Opposition their closest attention, and I would expect hon. members now to do the same for the Premier.

The hon. the Premier.

Premier Wells: Thank you, Mr. Speaker.

Mr. Speaker, it is not more power that we need to promote the interests of Newfoundland. It is more impact on the exercise of national power in Ottawa. That is what we are lacking. We could have all the power that the Federal Government has and have it transferred to us, and we do not have the financial resources to use it, and that is the simple mistake, with great respect to the hon. Member for Ferryland, that he makes about it. More power is not what we need. We need to balance fairly the exercise of national legislative power. So that when it is exercised, it is done in a way that takes into account the interest of the majority of the people, as it does now by a vote in the House of Commons, but also the interest of the majority of the parts as it should, by a vote in the Senate that would have equal representation from each Province and be elected. In that way, Mr. Speaker, we would balance these interests, so that we would never again see implemented the terrible legislation that was

implemented in the last twelve months in Ottawa.

And I will just remind hon. Members again, and through the medium of television the people of this Nation, what was done and what I am talking about. The Federal Government introduced and had passed through the House of Commons an Act to develop and put in place the Department of Industry, Science and Technology, to take over all the responsibilities of the old Department of Regional Industrial Expansion. And, Mr. Speaker, they gave that Department and its Minister two powers: The first was to discharge all the national Government's power and responsibility in relation to; industry, science, technology and trade and commerce. Now those five words, Mr. Speaker, I suggest, encompass virtually the whole economic future of any nation in the western developed world. But, let me tell you, Mr. Speaker, what the second power was. The second power was to discharge all of the responsibility and power of the Federal parliament in relation to regional economic development in Ontario and Quebec. Now what does that say to the people of Saskatchewan, and New Brunswick and Newfoundland and Manitoba, as to what their economic future is to be in this country? If we had had a Triple E Senate in place that would never ever have happened. And nothing, nothing they have ever done, speaks louder for the need for a Triple E Senate than that one enactment. And I invite anybody who wants to to go and see it, and read it, and see the consequences.

Well that is what motivates me from Newfoundland's point of

view. To provide on a fair and proper basis, for the economic, and the fair economic development of this Province, Mr. Speaker. So that our people can live in the future with the dignity and self respect that can only come from having an opportunity to work productively and provide for themselves and their families, and make their reasonable contributions to the rest of the nation without being seen to be a drain on the rest of the nation. And in the words of Don Blenkarn this morning, 'Newfoundland is such a drain on Canada,' he sometimes thinks that it, 'should be taken out to sea and sunk'. Now, Mr. Speaker, that is an indignity that I do not want to have any responsibility for being allowed to be heaped on the Premier of this Province, twenty, or thirty or forty years from now.

Some Hon. Members: Hear, hear!

Premier Wells: Mr. Speaker, when the Government of this Province took its position on the Meech Lake Accord, it was not out of rejecting Quebec. And if there is anything that I will never forgive the political leaders who are responsible for it, it is persuading the people of Quebec, the great Canadians who live in Quebec, that if the rest of Canada questioned the Meech Lake Accord, they could be taken by Quebecers, to be rejecting Quebec. That is an utterly false and fraudulent statement and should never, ever have been uttered.

Some Hon. Members: Hear, hear!

Premier Wells: We are not, Mr. Speaker, rejecting Quebec or any part of Quebec. We are rejecting the inequality, and the unanimity that would be entrenched if the

Meech Lake Accord were put in place, and the adverse consequences for this country for the future. Mr. Speaker, in taking the position that we did, I have to confess, that over the last two or three months - I took the position three years ago, when the Meech Lake Accord was first announced, so I am not just simply following public opinion, and I have maintained it ever since, but I, Mr. Speaker, take a great deal of comfort from the fact that over the last few months, the position we have taken, I believe, has been affirmed by the people of this nation, twenty-two thousand of whom have written to me to tell me so. Of that 22,000, 485 opposed the Newfoundland Government position and 21,431 supported it, and 88 did not indicate.

I have done a breakdown, Mr. Speaker, on the number from each Province and the proportion on the basis of population. If you take the population of this country 18 years of age and over, one out of every 251 in Newfoundland have written to express their opinion. The next highest number is British Columbia; one out of every 285 British Columbians have written to express their opinion. One out of every 500 people in Ontario have written to express their opinion and their concern. And, Mr. Speaker, the proportions remain roughly the same all across the nation including from Quebec.

So, Mr. Speaker, if we were taking this position as little Newfoundland with 2.2 per cent of the population resisting the whole flow of national opinion, I would have some concern - some great concern. But, Mr. Speaker, notwithstanding that eight other Legislatures have approved the Meech Lake Accord, nevertheless I

take great comfort from these facts and figures and from all the polling that's indicated, that indicates clearly the substantial majority of the people of this nation do not agree with what the Government has proposed to do in implementing the Meech Lake Accord. And the difficulty I have had from the beginning is I cannot understand how a Government or a Premier, or the Legislature for that matter of any province, can fly in the face of the clearly expressed wishes of the majority of their people and impose these kinds of constitutional changes against their wishes. I think that is wrong. I think that is an abuse of the legislative power that is entrusted to them.

Mr. Speaker, when we are elected we are elected to exercise the power that is entrusted to us, not run away from exercising it, it is our responsibility to exercise that power. But, Mr. Speaker, the principle on which that is established is that if we exercise it against the interest of the majority of the people, they have the final say the next time around to vote us out of office and put in another Government that will change the law and implement the kind of laws the people at the time want.

Mr. Speaker, in the case of constitutional changes, that is not possible, because no matter what we do the people cannot vote the Government out of power and expect constitutional change the next time around, because it takes the approval of every other Legislature in the nation. So what we do in legislative terms may bind the people for twenty, thirty, or one hundred years, and you cannot do that in flagrant disregard of the expressed wishes

of the people. I think that is wrong, and if I am wrong in that, Mr. Speaker, I have no fear surrendering my seat and turning the Government over to somebody else, because I believe that is the essence of democracy.

Some Hon. Members: Hear, hear!

Premier Wells: Mr. Speaker, notwithstanding our strong views, we have tried our best to compromise. We agreed with the political difficulty that Quebec would have in trying to get changes to the Meech Lake Accord. We understand those political difficulties. We put forward a compromise. People said try and do it by way of add on's. We developed it in the form of add on's to deal as closely as we could with the concerns. You could not deal with it totally effectively with add on's, but we made a valiant effort. We went to the First Ministers Conference with those proposals to deal with those concerns by way of add on's so that the Meech Lake Accord itself would not be altered. But, Mr. Speaker, Quebec was intractable. No change. No add on's. Nothing that in any manner addressed those concerns.

Not one of the concerns that Newfoundland put forward was addressed at the recent First Ministers Conference, not one, despite our willingness to compromise, and we compromised again throughout the course of that conference. Nothing was done to address the concerns, our great concern about unanimity and the impossibility of effective Senate reform. Just how impossible that will be was made clear to me at the First Ministers Conference, because at an early stage, when it was clear that there was not going

to be any agreement amongst the First Ministers, somebody proposed this so-called Pickersgill proposal, of increasing the Senate seats for the Western provinces and Newfoundland to ten from their present number, PEI up to five, and leave Ontario and Quebec at twenty-four. Everybody else agreed, and it was all made known, announced, and the Federal Government briefed the media on it, but in the end it did not fly. Why? Quebec would never agree to allow its proportion of the Senate to be reduced.

Now unless you are blind, deaf, dumb, and stupid, you have to conclude that that will be the position Quebec will continue to take, and if you put unanimity into the amending formula there will never, never, never be Senate reform, and for small provinces like Newfoundland, if we are ever to have an opportunity at achieving dignity and self-respect for our people, it is only by changing the national political institutions in this way. But it was not to be, because they would not agree to any part of it. The process itself was terrible, as I indicated numerous times in the public media. To have eleven men sitting in a room in secret deciding the future of the nation is wrong, and I disagree with Premier Peterson, or the Prime Minister, when they say the process was inherited. The process was not inherited. The process was first used for the first time in 1987. We put the constitutional amendments in the Constitution in 1982 and there has never been an amendment since, until 1987, and it was in 1987 that the process was invented by the present Federal Government. It was not an inherited process.

Some Hon. Members: Hear, hear!

Premier Wells: But, Mr. Speaker, what it resulted in, during the course of those discussions, was a complete abandonment of intellectual discussion of any of the issues. It would always start with an intellectual discussion of it but would very quickly get to the point, no, Quebec can never agree to that. Quebec cannot accept that, cannot change that. Then the final stage: you have to accept it as Quebec proposed, or otherwise you are going to be responsible for breaking up the country. Well, Mr. Speaker, I cannot, and can never agree to that kind of a process for constitutional change in this country. It is unacceptable, it is undemocratic, it is an offense to any sense of democratic propriety. In future we must find and put in place an alternative method. We must find a means of ensuring that there is open public discussion, and whatever happens; whether the Meech Lake Accord ever goes in place, or it does not, we must put in place an open constitutional convention, where people who are expert and experienced in the field will carry on an open public discussion and develop a common set of proposals to submit to the Legislature. The First Ministers have no role, or no right, to sit in a private room, secreted away from the 26 million people of Canada, and make unchangeable commitments. That is wrong. But that's an aside, let me get back to the result of the First Ministers Conference and Newfoundland's position.

The Leader of the Opposition read the undertaking, and the undertaking was to take the agreement back. This was not my

preference but again it was a compromise. I agreed to allow the other two provinces to sign the same one instead of a separate one that I preferred to sign, but I made the compromise to help out. I signed the undertaking to take the proposal back to the Legislature, back to the people of Newfoundland for a decision, either in a referendum or by a free vote in the Legislature, because by that time I knew we were probably gone beyond the time within which we could hold a referendum. So I undertook to take it back for consideration and decision, prior to June 23rd, and Mr. Speaker, I have lived faithfully up to that, and have gone and done everything possible, including providing, with the consent of the Opposition, for sittings nine hours a day to discuss it, to allow it to happen. I even did that which I thought I would never do, deprive the people of this Province of their right to make these decisions, because it is their future we are deciding - not ours alone - and we deprived them of that, in an effort to live up to that undertaking and have it done, not because of anything I did or failed to do, only to discover a few days after the decision was made, that the Prime Minister was gloating over the way in which he had manipulated this circumstance.

That's hard to accept, Mr. Speaker, that is extremely difficult to accept, to see the people of this Province deprived of their rights in that shameful way. But, Mr. Speaker, I asked the people to ignore that, to deal with this issue, otherwise and on that basis, but that's an explanation as to why they were deprived of their right to have this decided by a referendum.

That's an explanation as to why the people of Manitoba are in the position they are in today, where they cannot carry out their ordinary democratic processes because the Federal Government wants to roll the dice, as it says, and manipulate the outcome in this particular way.

Some Hon. Members: Hear, hear!

Premier Wells: Mr. Speaker, the free vote in this House was designed to be a substitute for the referendum. It was essential, I believe, that the members do the maximum consultation with their constituents possible, if there was to be any credibility to a free vote as a substitute for a referendum, and I congratulate, most, if not all hon. members. I believe most hon. members, perhaps all hon. members, took the proposal to heart and did indeed consult with their constituents. I believe that was the right thing to do, but in the end, it is their decision on an individual basis. And what weight they give to their constituents views, or other considerations, is for each hon. member to decide, and frankly, I don't believe anyone of us could criticize any other member for the basis of his vote, on that basis.

There is a divergent of opinions as to what's proper and the extent to which members of a Legislature are required to reflect the views of their constituents. If you follow Burke's view, clearly they aren't, but he didn't succeed much beyond the statement of his view, but nevertheless, it was a great statement of principle.

Members have a responsibility to take into account the concerns of their constituents, and take into account their conscience, and take

into account their loyalty to this nation first and foremost, and take into account their obligation to the people of this Province, and I believe, Mr. Speaker, having heard all hon. members speak, that most members at least, if not all, have acted in that respect in an exemplary manner, and I congratulate them for the conscientious way in which they assessed it and for some of the passionate statements that were made in this House in explaining what they had been doing. They were wrestling with their conscience to try and decide what was right for the nation.

In the meantime, Mr. Speaker, many people in this nation were saying, 'Newfoundland can only pass it, it can't do anything else, because Newfoundland only has 2.2 per cent of the population, so Newfoundland can't possibly vote against the Meech Lake Accord, when eight other Legislatures have voted for it'. That is unthinkable, that that should be, only 2.2 per cent of the population should hold up the constitutional development of this nation, and I understand that thinking.

It is not far removed from my own view that no one province can hold up the constitutional development of this nation. No one province should ever be in a position to do that, and that's what's wrong with unanimity. No one province should ever be in a position to hold up the constitutional development of this nation and that's why, the unanimity that is being provided for in the Meech Lake Accord is so wrong for this country!

Some Hon. Members: Hear, hear!

Premier Wells: People have made derogatory statements about

Newfoundland voting against the Meech Lake Accord, the latest was Don Blenkarn - you know what he said. But other erudite people have commented on it. Jeffrey Simpson, a noted columnist in the paper that claims it is the national newspaper of Canada, says it is wrong. Newfoundland should not be able to do this. Newfoundland can only vote to approve the Accord. It is an indignity to democracy. In fairness to Jeffrey Simpson he quite rightly points out that it is the product of unanimity and it is the inevitable result of unanimity. Are we trying to solve that with the Meech Lake Accord? No, Mr. Speaker, we are putting even more unanimity into the Constitution and here we are faced with this disastrous situation and we are taking steps to exacerbate it. It is irrational to be thinking in that direction. No wonder it is treated as an indignity to democracy by Jeffrey Simpson and other writers. But, Mr. Speaker, for the people of this Province -

Mr. Speaker: I regret to interrupt the Premier, but again I want to remind hon. members to my right that we are not extending to the Premier the same courtesy that was extended to every other member by listening without interrupting.

The hon. the Premier.

Premier Wells: Thank you, Mr. Speaker.

I appreciate your intervention, it is difficult to speak properly when members are constantly making these kinds of remarks in a small Chamber like this.

Mr. Speaker, it is indeed an indignity to democracy, but there

is a greater indignity to the people of this Province, a worse indignity than that, if you can believe it. The ultimate indignity, I would say, is to say to the people of Newfoundland, 'You are an equal province of Canada, you are equal citizens of Canada, you have a right to vote - but ignore your judgment, offend your conscience, vote against your will and vote only in a way that complies with what the rest of the country has done.' That is an even greater indignity to democracy - to impose that situation on me.

Some Hon. Members: Hear, hear!

Premier Wells: Frankly, Mr. Speaker, I would rather have no right to vote at all, than to be told you have a right to vote, but you cannot exercise it on the basis of your judgment and conscience, you can only do it in a manner that meets with the approval of somebody else.

Some Hon. Members: Oh, oh!

Premier Wells: All hon. members will have ample opportunity to tear my speech apart in the media and everywhere else after, please allow me the courtesy of expressing it first.

The ultimate irony, Mr. Speaker, is that the Meech Lake Accord would entrench in our Constitution forever the kind of unanimity, an inequality of provinces that is now causing us such difficulty. I say to the Prime Minister, if any small province or group of small provinces hold this up and it is right for the nation, hold a national referendum, and implement it -

Some Hon. Members: Hear, hear!

Premier Wells: - or, Mr. Speaker, put in place the constitutional changes now that would allow the vote to be taken on the basis of a fair judgment. But do not insult the people of any province by saying you have the right to vote, we will accord you the right to vote, but only if you exercise it in the way that meets with our approval. That is offensive.

Mr. Speaker, for now, if Newfoundland is forced to vote, as it is by reason of the unanimity rule, I recommend to the members of this Legislature that we do so with honour. That we not allow ourselves to be pressured and subordinated in the way in which we have been, in an unmerciful fashion just in the last few days and even through to this morning, and right now, when the Leader of the Opposition spoke in the House, as he mouthed and repeated the words the hon. John Crosbie said to me.

Some Hon. Members: Hear, hear!

Premier Wells: In effect, we will make a deal with you.

Mr. Speaker, I would expect I will finish in about twenty minutes when we come back at 8:00.

Mr. Speaker: This House is adjourned until 8:00 p.m.



Province of Newfoundland

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VERBATIM REPORT
(Hansard)

Speaker: Honourable Thomas Lush

The House resumed at 8:00 p.m.

Mr. Speaker: Order, please!

The hon. the Premier.

Premier Wells: Thank you, Mr. Speaker.

Mr. Speaker, when we broke for the dinner break 6:00 p.m., I was saying that Newfoundland was placed in a position that it did not want to be in, in being forced to make a decision against its wishes and being told that it was deciding the future of the country. As a matter of fact, I can quote the Member for St. John's East who said, 'It is a power I do not want. It is a responsibility I did not seek.' I agree with her. It is the consequence of having unanimity in our Constitution that would require all Provinces, particularly small Provinces like Newfoundland and PEI with small percentages of the population, to vote and then be put in a position where they are told they can only vote the way the rest of the nation has voted. They cannot exercise their own judgement. I say again, don't do that to us. Put us in a position with the rest of the people of Canada. Holding a national referendum is the right way, or change the Constitution to remove that requirement and enable such changes to be made without requiring the approval of all the Provinces. It is the right way to do it, so that you will not have any one Province holding up the constitutional development of the nation. But, Mr. Speaker, if this Province is going to be forced into a position where it has to make a decision, I am going to ask the people of the Province or the legislators, whoever is going to be taking the ultimate vote, to do

so on the basis of an honourable assessment of what is right for the country in their judgement, and what is right for the Province.

Some Hon. Members: Hear, hear!

Premier Wells: The issue in the end must be decided on the basis of a true assessment of the merits of the Meech Lake Accord and the impact that it will have on the whole country, not just the 7 million people of Quebec, but the other 20 million people of this country in the other nine Provinces and two Territories. Look at the impact it is going to have on the nation and the impact it is going to have on this Province. Consider also the views of the Prime Minister and others. That is why, with complete openness, and with an anxiety that the members of this House hear views with which I did not agree, that I could not convey to them because I did not share those views, I invited the Prime Minister and the other Premiers to come here and share their opinions with members, so that they would have it in as open a way as possible, with the desire that we would be fully informed and able to go to the vote that we had intended would take place in this House. Others were against it. The Opposition did not want to hear other views in the House. They said they wanted it confined to the Premiers and the Prime Minister. I felt our members should hear the other views. As a matter of fact, somebody distributed an editorial from The Economist, perhaps the best, arguably the best and most competent news magazine in the world, wrote an editorial in this last edition on this issue - wrote it very fairly. One member of the Opposition said I was prejudicing

people's point of view by having this opinion distributed. Well, in fact, I was not causing it to be distributed, I did not know it was being distributed, but if I had known, I would certainly have endorsed this distribution, because you cannot run and hide from truth and other opinions. If there are opinions, deal with them up front, and if you cannot knock down those opinions, then just maybe you ought to pay attention to them instead of ignoring them.

Some Hon. Members: Hear, hear!

Premier Wells: These views of the Prime Minister and the Premiers and others taken together with a fair assessment of the views of the constituents of each of the members, and a conscientious assessment of the members own feelings and thoughts, should have been the elements of this decision. What is best for the Canadian people in that context. And speaking of the Canadian people, do not forget the views of the Canadian people in the rest of the country. So when somebody says to you, Newfoundland, you are only 2.2 per cent of the population, that may be true. That is all we are. But do not forget how the people in the other nine Provinces, particularly the other eight Provinces other than Quebec, feel about this issue. Take that into account, too. I did all that, Mr. Speaker, and for my own part I have to advise the House that my views with respect to the Meech Lake Accord have not changed.

I am not of the same opinion as the Prime Minister and others as to the consequences of failure to pass the Meech Lake Accord. Part of that view comes from my discussions with Premier Bourassa

of Quebec. I have always found him to be very straightforward and up-front in our discussions as to what would likely be the consequences. Based on that, and discussion from other people from Quebec and other parts of the country, I do not share those views. But I am willing to admit that maybe my views on that are not correct. And that is why I invited the Prime Minister and the other Premiers to come here and give the members of the House views that I did not share - so that we could take all this into account.

I saw no cause to change the views that I held. That, on balance, the Meech Lake Accord is wrong for the long-term future of Canada, and wrong for the long-term future of this Province.

Some Hon. Members: Hear, hear!

Premier Wells: That opinion, Mr. Speaker, was endorsed by my own constituents in the Bay of Islands. I held meetings on both parts of the constituency. I talked to a lot of people, and gathered a lot of views. Participated in open line radio programs to gather views, and the opinion was overwhelming. And I did so in a way that did not prejudice their point of view. I asked them to take into account the views of others and consider what the possible consequences to the nation might be, and what their reaction might be if those people who expressed an opinion about these dire consequences for the nation might indeed be right. And they affirmed - with one or two exceptions, a handful of exceptions - they affirmed their strong opinion that the Meech Lake Accord should not be approved by this House. And that was an

element, but was not the only element at all, in my view.

I am not insensitive, Mr. Speaker to the large number of representations I have had from the business community. Most of the representations I have had from the business community plead with me to allow the Meech Lake Accord to be passed, because they are concerned about business disruptions and the consequences to the economy of the Province. I know they have a personal interest at stake, and that may be part of it, but I believe that the people who made those representations did so with fair and understandable concern. They are all people who are involved in building the economy of this Province and in carrying on the kinds of economic activity that promote jobs for our people, so I believe they had that concern as well. I am not disdainful and I do not dismiss their concern, even though, Mr. Speaker, I may dismiss the methods of a couple of businessmen who were in the caucus room this afternoon holding and showing a list of jobs available on the Hibernia project, and talking to the members about this, expressing not very complimentary views about the Prime Minister, and suggesting that the Prime Minister would wreak vengeance on Newfoundland, and these were people with an interest in the offshore business. I do not appreciate that, Mr. Speaker. That is an inappropriate approach. I respect the valid opinions that people raised but I do not respect that kind of fearmongering and manipulation in this kind of circumstance.

Mr. Speaker, that was the position I was in yesterday, and last night and early this morning. And I was

fairly confident from the opinions expressed, as I know certain hon. members opposite were also confident, that in their judgement if it came to a vote in this Legislature, the Meech Lake Accord would not be approved.

Some Hon. Members: Hear, hear!

Premier Wells: And the members opposite who expressed that opinion to me know who they are, and I do not need to mention them. They expressed it to others, too. So to hear them now say that the Premier is afraid to take a vote, is a shocking hypocrisy and misrepresentation of the facts.

Some Hon. Members: Hear, hear!

Premier Wells: Mr. Speaker, it was out of concern for the nation and what would be the impact on the nation, on this Province, on the Province of Quebec of a vote in this House today, bearing in mind what had transpired in Manitoba. At 1:30 this morning I was on the phone to Premier Filmon in Manitoba, and he gave me a complete explanation of the situation in Manitoba. I spoke also to Sharon Carstairs, the Liberal Leader in Manitoba. This morning Elijah Harper telephoned me and asked if I would speak with him, and I excused myself from the House and I did so. So I knew what the situation was in Manitoba with absolute certainty. And I was concerned that what was going to happen in Manitoba would happen, the process would be stopped, through no fault of Manitoba. I sat beside Premier Filmon when he warned and told the Prime Minister and others, 'we need time to carry out our democratic process, do not box us in.'

Some Hon. Members: Hear, hear!

Premier Wells: I told the Prime Minister and others, we need time to give the people of this Province their right to a referendum. Do not box us in. But the Federal Government, by the Prime Minister's own admission, chose to gamble with the constitutional future of this country and in his words, 'roll the dice', and do it in a way to manipulate the outcome. That has offended the whole nation, and that is why the Province of Manitoba is in the position it is in today. Not because of anything they did, or anything they failed to do. They were in the position where, by reason of this kind of manipulation, it was impossible for them to deal with the issue prior to June 23, and they told me this morning, that this would occur. The House would adjourn at 12:30 Manitoba time indefinitely, or at the call of the Chair. And the time limit would come and go and it would not occur.

Having the view which I did, which I know was shared at least by some Members opposite, that the most probable result from this House would be a rejection, I thought about the impact of that on the people of this Province, the impact of it on the nation, the impact of it on the people of Quebec, of doing that in that circumstance. So I called Senator Murray this morning, and I called Mr. Crosbie and expressed my opinions to them, and both of them undertook to get back to me. That was ten thirty this morning. I talked to the caucus, I talked to other prominent figures in the nation to get their views and opinions, and I brought the issue to the caucus, and the caucus considered it at the lunch break.

I brought the issue to the caucus and they thought too that it would be in the best interest. But they left it to hear from Senator Murray, they left it to my discretion, waiting to hear what Senator Murray thought. And I waited, and I waited, and I waited to hear from John Crosbie, and I waited. I did all this in good faith. I was up front with them, as I have been all along. And I waited until 2:30 and there was no answer. We were about to reconvene, so I telephoned Senator Murray. The secretary said, yes, I will let you speak to him, put the Premier on. I picked up the phone and waited, and they said, oh he was just leaving the office. And I turned on the television, and there he was, rolling the dice again, trying to put pressure on Newfoundland to do that which he knew was unlikely to be done. Saying to all the world, 'It now all depends on Newfoundland'. We can find a solution to the problem in Manitoba, but Newfoundland can scuttle the whole thing, and if Newfoundland votes for it, everything will be okay. We can go to the Supreme Court, but if Newfoundland votes against it that will put it at an end.

On the people of this Province, the Members of this Legislature who have been conscientiously wrestling with this massive problem that they did not want in the first place, to try and do what is best for the nation, and at the end, when people were trying to be fair and honest and put the interest of the nation first, the present Government of Canada is still rolling the dice, gambling with the future of this country.

Some Hon. Members: Hear, hear!

Premier Wells: What good would it do for us, in light of what transpired in Manitoba, to hold up our fists and say to Quebec, 'No!. Never!' It was a pointless exercise. I do not want to be offensive to my fellow citizens of Quebec, I want to be accommodating, and maybe if we left it there, maybe there is some way we can find a resolution to this terrible dilemma without confrontation and saying no, and have the Federal Government then translate to the people of Canada and Quebec, 'Newfoundland is rejecting Quebec'. I find that offensive, Mr. Speaker, to put the people of this Province in that position. And I cannot accept it from Mr. Crosbie or Mr. Murray.

And then this afternoon when we discussed it again, as everybody knows, we delayed the opening for half to three parts of an hour. I told the Leader of the Opposition and the Opposition House Leader because I felt they should know if they were coming into the House to debate it. I felt that they should know what was happening, and what had transpired, so that they could fairly comment on what I was going to say in fairness to them. And that is what I mean by being honourable and fair to people. So to hear the Opposition Leader say that I was dishonourable about it, is a little more than it is easy to accept. We tried our best, Mr. Speaker, to be accommodating, to always turn the other cheek, but we are starting to run out of cheeks, and we are going to find it difficult to find another cheek to turn.

Some Hon. Members: Hear, hear!

Premier Wells: Just consider the dilemma that this Province was

being put in, knowing how the majority of the people of the Province, the vast majority of the people of the Province feel, knowing how or having a pretty fair idea how the majority of the Members of this House would be likely to vote, without knowing with certainty, but having a pretty fair idea, how the majority would be likely to vote. Newfoundland is placed in this position where these are the alternatives to it. Either accept the ultimate indignity of ignoring your own judgment, offending your conscience, and being required to vote against your will, in order to produce a result that somebody else wanted, or risk having somebody like Don Blenkarn say, 'you are 2.2 percent of the population and you should not be listened to. You should not be doing that, we should get rid of you'. That is the alternative to the people of this Province. That is not a very happy prospect to be in. And that is what I was trying to avoid, and that is why this course was being taken. Now, Mr. Speaker, until quarter to two this afternoon when Senator Murray appeared on the television, and answered my phone call which I had been waiting for four hours, through public television, to try and put pressure on the people of this Province and the members of this Legislature. It was still an open question, I was waiting to hear from him, the caucus had given me the discretion, they understood the concerns and they said 'you make the decision when you have all of this in, we understand, we will stand by the decision'. And until quarter to two, when I saw Senator Murray on television and heard him say, 'Now, it is up to Newfoundland, we are going to put all of this pressure on Newfoundland,' well,

that is the final manipulation, Mr. Speaker, we are not prepared to be manipulated any longer.

Some Hon. Members: Hear, hear!

Premier Wells: And then, Mr. Speaker, the final one came from Mr. Crosbie, when he says, 'Yes, okay, we can treat Newfoundland the same as Manitoba and give more time, if the Premier will commit beforehand that he will support the Meech Lake Accord'. If you will sell your soul, we will treat you fairly. That is unacceptable, Mr. Speaker. That is unacceptable. And that is what we have heard Mr. Crosbie announce on television this evening during the break. It is what we heard come from the hon. the Leader of the Opposition. Well, that, too, Mr. Speaker, is unacceptable.

Mr. Speaker, the Government and people of this Province want to find an honest legitimate resolution to this very serious problem for our country, but we are not prepared to sell our souls in the process. We want to be fair to our fellow citizens in Quebec and make sure that they are genuinely, sincerely, fully and fairly accommodated, and their concerns addressed, but we also want all the people of Canada to think about the rest of us as well.

Mr. Speaker, while we were working, the members of this House on both sides were working and striving to do their best to find a fair and proper answer, and to deal with this serious question for the nation. The Federal Government was still up there manipulating. We were here putting Canada first, but, Mr. Speaker, I have also to say we will not pull that misbehavior against Canada and the rest of its

citizens. We will start tomorrow to find the accommodation and bend over and compromise. Yes, Mr. Speaker, and we will find a few more cheeks to turn in order to build a good future for this country, where all of our citizens have an opportunity to live in equality with one another in provinces that are, in their status and rights, equal to one another, and where all of us will have the dignity and self-respect that can only come from political equality and economic and social independence. And that, Mr. Speaker, is essential. We must build our constitution in a way that provides for that. We are prepared to start tomorrow. I urge the Prime Minister and all other premiers in this country to slow down. You are prepared to give the time to Manitoba, well give Newfoundland the time as well. Give the rest of the country the time as well.

Some Hon. Members: Hear, hear!

Premier Wells: And I say to Senator Murray: if you are going to do a reference to the Supreme Court, do a full and honest reference to the Supreme Court. Listen to Gordon Robertson and ask the Supreme Court whether indeed there is a time limit, and then the second question, if there is a time limit, ask the question they want to pose about the rolling time limit. But ask the Supreme Court first if indeed the time limit applies. Do not try and create another fabricated precipice over which to drive the people of this nation in September or October or some other month down the road. Do it right. Start working for the people of this country. Start building for the people of this country in a way that will protect the interest

of all its citizens and will accommodate the fair and legitimate concerns of all its people, and make allowances for the differences of our fine friends and fellow citizens from the great Province of Quebec.

Mr. Speaker, in those circumstances I have no alternative but to move the adjournment of the debate. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: On a point of order, Mr. Speaker. I would like to ask Your Honour to check with the clerks at the table to see what time the Premier's speaking time expired. I believe if you check the records you will find his speaking time expired at 8:20.

Some Hon. Members: Oh, oh!

Mr. Simms: His speaking time expired at 8:20 and it is impossible for a member to move the adjournment of the debate if his speaking time has expired. So I would ask Your Honour to check the time with the clerks at the table.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: To that point of order, Mr. Speaker. We have had certain arrangements in this special debate. One of the arrangements had to do with time. We used some guidelines. We talked within terms of twenty minutes to a half-an-hour for speakers, and we talked in terms of an hour or thereabouts for the Leaders. There was agreement, Mr.

Speaker, that there would be no interference. There was absolute agreement that there would be no interference. Members who had indicated they were going for twenty minutes went for forty-five and fifty minutes, Mr. Speaker, as you can check and see. Mr. Speaker, we have not been enforcing time limits in this special debate, and this is just a sneaky trick by the Opposition House Leader to throw a monkey wrench into this affair. He knows full well that there were no time limits. He knows full well that the time limits were not enforced. He knows full well that there were agreements to not enforce time limits, Mr. Speaker, and I would assume that the clerks at the table and Your Honour were also aware of that special arrangement.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. To that point of order. I am rather intrigued by the argument that the Government House Leader would use about agreements, because we also have an agreement in this House to have a vote on the Meech Lake Accord.

Some Hon. Members: Hear, hear!

Mr. Simms: But, Mr. Speaker, notwithstanding the point that the Government House Leader makes, the fact of the matter is there was an agreement with respect to debating time for Members of the House, but that was treated separately from the two leaders of the parties.

Some Hon. Members: It was not.

Mr. Simms: Oh yes, it was. It was absolutely separate, because we did not have an agreement, we

did not have an agreement that the speaking time for the Premier and the Leader of the Opposition would be one hour or so.

The agreement, and if the Government House Leader is straightforward with this House he will admit that the agreement we had for the speaking time of the Premier and the Leader of the Opposition was indeed one hour, not one hour or so. So I submit again, Your Honour, that the Premier's speaking time had expired, and in fact, he could not move the adjournment of the debate. It is quite simple.

Mr. Speaker: The Chair is not aware of any agreements that applied any differently to the Premier than anybody else. All the Chair can say is, we never applied any different rule to any of the members.

Many of the members went over time and as a matter of fact, the Chair brought it to the attention of the House, I think it was yesterday, when a couple of the members went up to forty minutes and fifty minutes, and we agreed that we would send members a note at twenty minutes, but we never ever stopped anybody from going over their time limit, and the Chair is not aware that the rules were to be enforced any more stringently with the Premier and with the Leader of the Opposition than they were with the members.

Mr. Speaker: The hon. the Government House Leader.

Mr. Simms: To a point of order.

Mr. Speaker, perhaps I can refer Your Honour to Hansard, Wednesday's Hansard, June 20th, where the agreement which had been

reached and the rules that had been set and agreed upon, were outlined by the Government House Leader in Hansard on page L2, and he says, and this is not in part, this is a complete sentence: 'As well, in terms of the speaking, we have agreed that the Premier and Leader of the Opposition could have up to an hour, that most other members would perhaps try to limit their speeches to around twenty minutes.'

Now that's what the Government House Leader said, Mr. Speaker, so I would submit that if the Premier went over time, that's one issue, we didn't interrupt him obviously, but he did go over time, and the point is you cannot move an adjournment on the debate if you have gone over your speaking time. And our own House rules, of course, provide only an hour's speaking time for the Premier and the Leader of the Opposition in any debate, as Your Honour would know.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker. To that point of order, again, it is another feeble attempt to try to accomplish, I don't know what.

In actual fact, I do not have an accurate accounting of the time myself. However, if hon. members opposite understood that there was a time limit and if they were aware that a speaker had gone over the time limit, then one would think, Mr. Speaker, that they would specifically bring that point to Your Honour's attention.

If they did not bring that point to Your Honour's attention, in the proper manner, Mr. Speaker, then

one assumes that leave had been given to continue, until a point is made of it by the Opposition. So Mr. Speaker, it's implicit in what happened, that leave was given anyway, even if there was an understanding by members opposite that there was a time limit.

Mr. Speaker: Again, the Chair can only say that the Chair was operating under the assumption that the rules applied equally to the Leader of the Opposition and to the Premier.

If they exceeded an hour by five minutes or so, the Chair was not going to intervene, any more than I didn't intervene with members who went over their period of twenty minutes or whatever. The Chair assumed that the same rules applied, and I think the Government House Leader also, when talking to the rules, applied to the members as well as I think the Opposition House Leader said, but they were not enforced by the members, and the Chair was not enforcing them either with the Leader of the Opposition or with the Premier.

Mr. Simms: Mr. Speaker, to a new point of order. I accept Your Honour's ruling.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: For clarification purposes more than anything else, Beauchesne, sixth edition, page ninety-one, paragraph 293 (1) in part says, and it talks about when the debate on an issue is closed, or a question is closed, and the House is ready to decide thereon, the Speaker says: 'Is the House ready for the question? If it is evident that no member claims the right of speaking in the debate,

it implies that Your Honour is to put the question.' I would like to ask if any other member claims the right to speak? And I think that is the question and the issue that needs to be addressed, otherwise, according to Beauchesne, Your Honour needs to put the question.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: To that point of order, Mr. Speaker. There is a motion on the floor for adjournment of debate which is quite proper at any point in time. All members have not spoken in the House. And it is because of that I suggest, Mr. Speaker, it is quite proper to put a motion to adjourn debate at any time. That is a non-debatable motion, which must then be voted on.

Some Hon. Members: Hear, hear!

Mr. Speaker: The House Leader is quite correct. The question was not asked, of course, because the hon. Premier adjourned the debate and we have a question before the House a motion to adjourn.

The hon. the Opposition House Leader.

Mr. Simms: Well, Mr. Speaker, I will try one other point of order. I will refer Your Honour to Sir Erskine May, page 386, and the issue is 'The question of whether or not the motion to adjourn debate is debatable?' That is the question I wish to raise now.

I am sure, being a great reader of parliamentary references, in Hansards, and things of that nature, that if Your Honour would refer to Sir Erskine May, page

386, he will find in the first paragraph, in the last sentence, that it talks about a motion not being able to be made for adjournment of debate if a question for the adjournment of the House is being debated. However, nor can a motion for the adjournment of the House be made, nor for a question for the adjournment of debate made, until that matter has finished its discussion. Specifically, my point is whether or not the actual motion to adjourn the debate is in fact debatable or is not debatable?

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: To that point of order, Mr. Speaker, I suppose we can go back and look through all kinds of volumes to find rules that could be interpreted one way or the other, and I understand that members opposite have had a couple of individuals scouring all of the sources for the last three or four hours to come up with these regulations. The fact of the matter remains, Mr. Speaker, that the first thing we go by would be our Standing Orders, the next thing we would go by would be the precedents in this House, and there are many occasions Your Honour, where researchers will find that debate has been adjourned, and debate can be adjourned at almost any point if the motion is put. It is a non-debatable motion and then has to be voted on.

Some Hon. Members: Oh, oh!

Mr. Speaker: I would refer the hon. member to our own Standing Orders, Standing Order 22 which says 'A motion to adjourn shall always be in order.' Standing Order 22, page 7.

Mr. Simms: To adjourn debate?

Mr. Speaker: To adjourn debate, yes.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: I am sorry I did not catch the Standing Order reference, I would not mind having it. But I now move to another point of order then in that case, Mr. Speaker, if I may?

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker.

It is also in Erskine May, page 386, dealing with the section on 'Restrictions on motions for the adjournment of the House or of the debate', and the quote there is, 'furthermore the Speaker has power, under Standing Order 29, if he believes that any dilatory motion is an abuse of the rules of the House, to decline to propose the question on it.' I would make an argument, Mr. Speaker, therefore, that what has transpired in this whole process, leaving the people of Newfoundland and Labrador with the clear understanding, leaving the members of this House of Assembly with the clear understanding there would be a vote taken on this particular issue today, I would submit, Mr. Speaker, that that is an abuse, not only of the rules, but I will submit later that it is an abuse of parliamentary privileges as well. And under that particular reference in Sir Erskine May wouldn't Your Honour consider the possibility of recessing for a few moments to consider this particular matter, because I believe it does give you the authority, if you think there is

an abuse of the rules, to decline to propose the actual motion that was made, which was the motion to adjourn debate.

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, just before you do, let me say that the motion is to adjourn the debate. That leaves it open to bring it on for decision in July, August, September if the Federal Government takes an action that makes it necessary, or makes a determination, or the Quebec Legislature or the other Legislatures provides for extension, the debate is only adjourned. And until it dies on the Order Paper at the prorogation of this session, which in the ordinary course would likely be some time late fall or early winter at the earliest, then Mr. Speaker, the motion remains. That is why the motion that has been made is a motion to adjourn the debate. In other words, that the vote not now be taken, and that was done by reason of a combination of circumstances. The events in Manitoba and the particular manipulations today of the Federal Government that put us in this position.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. Further to that point of order. We now hear the Premier say, although he did not say it in his adjournment motion, that he has moved adjournment of debate on the question in the event that the Federal Government or Quebec finds some way whatever to extend it. Now, Mr. Speaker, clearly all the references will tell you that if a

motion to adjourn debate has any conditions attached to it, it is definitely debatable. Well the Premier says there are no conditions but he just stood and argued that there were all kinds of conditions.

Some Hon. Members: (Inaudible).

Mr. Speaker: Order, please!
Order, please!

Mr. Simms: I am sorry hon. Members opposite are so upset, Mr. Speaker, with parliamentarians practicing what they should practice, and that is the rules of the House. Anyway, Mr. Speaker, I will not repeat it all, but implicit in what the Premier said in his argument to the point of order, clearly is the fact that there are conditions attached to the reason for moving the adjournment of the debate. And if that were the case, if he had actually done that then it would have been clearly a debatable motion. So I will just add that further statement.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: To that point of order, Mr. Speaker. It is obvious if you look back in Hansard as to what the motion was. It was very, very simple. The motion was that the debate be adjourned. There was nothing else, it was a very simple motion. Thank you, Mr. Speaker.

Mr. Speaker: We will recess the House briefly.

Recess

Mr. Speaker: Order, please!

With respect to the point of order raised by the Opposition House Leader, my ruling is that what we have here is a perfectly normal motion which is used all the time in the House. And what we have before us is a motion in the Government's name, and of course, the Government have the right any time to call the order of business. And to do that many times the Government will call the adjournment of the debate so they can move on to another item. It is done quite frequently in this House and in the House of Commons, so I rule that what we have here is a perfectly normal motion and the point of order is not a point of order.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Mr. Speaker, before this matter is finalized I want to raise a point of privilege. I have made some reference to it earlier this evening, but I want to make the point again. I am raising on a point of privilege I say to the Minister, which I have every right to do. And if he will listen I will make it. If I keep getting interrupted it will take me a little longer than normal. But if I am left to my own and not interrupted I will try to make it as quickly as I can.

Mr. Speaker, the point is this, the debate that has been going on in this House for the past several days has been going on under a special set of rules, a set of rules that could only apply because there was unanimous consent from both sides of the House. We could not sit nine hours a day, for example, under our rules unless there was

agreement, unless there was consent, unless there was leave. Those rules were agreed to, Mr. Speaker, by all members of this House. They were agreed to. It was unanimous on both sides of the House that we would do this for one reason. Members of this House - I can speak for members on this side - Members of this House agreed to be cooperative and to allow the normal rules to be waived for one reason, Mr. Speaker, and the one reason was this: the first article contained in the June 9, 1990 Constitutional Agreement signed by our Premier in Ottawa. And I read it once today, Mr. Speaker, and I will read it again, it is only short. This is why we could be in the situation that we are in now. And this was the wording: the Premiers of New Brunswick, Manitoba, Newfoundland undertake to submit the constitutional amendment 1987 for appropriate legislative or public consideration and to use every possible effort to achieve decision prior to June 23, 1990.

Now, Mr. Speaker, we gave that unanimous consent to the Premier of Newfoundland and Labrador. We did not give it to the Prime Minister, we did not give it to Senator Murray, we did not give it to Manitoba, we gave it to the Premier of Newfoundland and Labrador on his solemn word that as a result of our giving that agreement there would be a decision of this Legislature by June 23, 1990.

Some Hon. Members: Hear, hear!

Mr. Rideout: Now, Mr. Speaker, by giving that consent, by waiving the rules we, each one of us in this House, gave up some of our privileges as members. We can all see that. And Mr. Speaker, what

has happened here the latter part of today and tonight, the agreement has been violated, there is not going to be a vote. So that means Your Honour, obviously, that the privileges of every member of this House have been violated, because we could not be having this debate over the last three or four days without unanimous consent, without leave of this House, without me giving up part of my rights as a member, without every other member giving up some of their rights as a member. So, the point, Mr. Speaker, is that we have been manipulated in this Chamber. We have been manipulated.

Some Hon. Members: Hear, hear!

Mr. Rideout: The people of Newfoundland and Labrador, Mr. Speaker, were told, guaranteed, that a decision would be taken by this Province in time to meet the June 23, 1990 deadline. We had reason to believe, Mr. Speaker, on a number of occasions over the last day or so that there was a possibility that the decision would be positive. But if it were negative at least we would have done honourably what we had agreed to do, and that was to make the decision. And not having done that, Mr. Speaker, we have been manipulated, the rules and privileges of members of this House have been manipulated, and I believe that we have a valid point of privilege. And if Your Honour so rules then I am prepared to move the appropriate motion, Sir.

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, there is obviously no point of privilege. They will try every trick in the book, I suppose. But the undertaking is clear. I gave

an undertaking to bring the matter back to Newfoundland either for a decision on a referendum, or by a free vote in the Legislature, and undertook to use every possible effort to achieve decision by June 23. I have been following that faithfully to try -

Some Hon. Members: Oh, oh!

Premier Wells: Hon. members can moan if they want to, but it is not very intelligent to moan. I undertook to do that, Mr. Speaker, and I have been following it faithfully. As of today there has been a change in circumstances. The House has a right at any time to vote in any way that it sees fit on any matter, in course, through it. If, as and when, the House votes not to, the House may well vote not to adjourn, to proceed, it is not likely, but theoretically it's possible.

There is no point of privilege, Mr. Speaker. The undertaking has been honoured fully. Circumstances have changed. The action that the Government is taking at this time in moving the adjournment of the debate, supported by the caucus and with the approval of the caucus, is done because we sincerely believe it to be in the best interests of this country and in the best interests of this Province, and if it isn't, Mr. Speaker, I alone have to accept political responsibility for it, and I am willing to accept that, because the caucus considered it at my request. I initiated it for them and they considered it at my request, so I take the personal responsibility to Canada and to this Province for the course of action.

Now we are doing nothing more than

asking the House to adjourn this particular debate, without taking the vote at this time, and for the Opposition Leader to stand on a point of privilege and say that there was a guarantee to him or anybody else, is utter nonsense.

There was no guarantee of anything to anybody. The matter was coming before the House in the ordinary course of things, with an undertaking to do our best to achieve decision, prior to, well, Mr. Speaker, we are asking the House to make a decision on this matter, and the decision that we are asking them to make, is, by reason of the developments in Manitoba and the actions in Ottawa today and this afternoon, we are asking this House to defer consideration by moving the adjournment of the debate at this time.

It is a perfectly straightforward motion that gives rise to no point of privilege.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you, Mr. Speaker. I would like to further comment on this point of privilege raised by the Leader of the Opposition.

I too, feel very strongly, as one member of this Legislature, that my privileges have been breached and taken away, because I, as another member of this Legislature, agreed to put aside the Standing Orders of this Legislature, to sit for the hours that we sat here, to give up Question Period, which I would say, is pretty much unprecedented.

We, the Opposition, with the issues in the fisheries of this Province, and with the labour problems in this Province, gave up Question Period.

Now, there was a time of course, in this Legislature, when there was no Question Period. Some of us can remember that better than others. But I feel, having given consent to the agreement, as one member of my caucus, that my Leader could not give consent for, unless it was unanimous. That my privileges have indeed been breached.

I left this Legislature last Wednesday and I went to my District to carry out a process that this Premier announced, not only to this Legislature, but to every resident of Newfoundland and Labrador, that we were to go out and get the feelings of our constituents. We even sat here, Mr. Speaker, and passed a supplementary supply Bill, that had in it expenditures of \$150,000, to help me go down to the District of Grand Bank and feel out the wishes of my constituents on this issue.

The President of Treasury Board, Mr. Speaker, has not spoken in the debate yet, so I would prefer he didn't speak from his seat on Meech Lake.

Now, Mr. Speaker, as a result of going to my District and consulting, there were mixed feelings. There were some people who thought that they weren't consulted with. We came back here for three days and we have agonized over this issue, and I came back to this Legislature prepared to stand in my place and vote, that is why I agreed with the rest of the members of this

Legislature to go through this process. We have heard discussion over the last number of months and particularly within the last two weeks, about the process that every one in this country has disliked so much, that it has led up to where we are today.

I dislike the process as well. I found it offensive, but I can tell you one thing, I find this process that we have gone through in the last week in this Province, Mr. Premier, just as offensive.

Some Hon. Members: Hear, hear!

Mr. Matthews: There comes a time, when you are a politician or a Premier, when you have to make a decision. It is not like a court of law where you can argue your case and then present it to the judge or jury, and they make the decision. I think that's the basic difference, Mr. Premier, between you and me. I am willing to vote in this Legislature today on this issue.

An Hon. Member: You were promised it.

Mr. Matthews: I was promised a vote. I told my constituents that we were to vote. They told me how to vote. Some told me to vote for, some told me to vote against. The final decision was left with me, and I -

Some Hon. Members: (Inaudible).

Mr. Speaker: Order, please!
Order, please!

I ask the hon. gentleman to please get to his point of privilege.

Mr. Matthews: The point of privilege, Mr. Speaker: I think you are very much aware what the

point of privilege, is. It was covered very well by the Leader of the Opposition. He said, as a member of this Legislature, my privileges have been breached. I take offence to that.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Humber East.

Ms Verge: Thank you, Mr. Speaker. If I am denied, what I consider to be my right to vote on the motion that has been before this House of Assembly for the last three days, to ratify the Meech Lake Accord, then, Your Honour, I believe that my privileges, as a member of this House of Assembly, have been breached.

Mr. Speaker, the Premier's motion to adjourn the debate is anti-democratic. It is a betrayal of the citizens of the Province whom we all represent, and is a breach of my privileges as a member of the House of Assembly.

I do not believe there is a citizen in Newfoundland and Labrador, today, who did not expect us to vote on the motion we have been debating nine hours a day for the last three days.

What was this process of the last two weeks about, after all. What are people supposed to think of the written agreement Clyde Wells signed in Ottawa, June 9th, in which he solemnly promised, in writing, to use every possible effort to achieve decision prior to June 23, 1990, preceded by an undertaking to submit the Meech Lake Accord for appropriate legislative or public consideration?

On his return, the Premier told people there wasn't time for a proper referendum, which he said was his preference. I put it to the Premier, there was time for a referendum, but he chose instead to have a free vote in the House of Assembly.

He approached the Leader of the Opposition, and the Opposition House Leader with an offer of procedure for the debate. We agreed. Each one of the fifty-one members on the floor of this Assembly, agreed. We sacrificed our rights, we bent over backwards to co-operate with the Premier, so that he could have his free vote. We've been here, what is now, twenty-five hours? I am ready to vote. We are all ready to vote. Why can't we vote?

Some Hon. Members: Hear, hear!

Ms Verge: Mr. Speaker, I put it to the Premier, that over the past thirteen months, since he has pursued his quest of defeating the Meech Lake Accord, since he has crusaded across Canada, since he has used his considerable powers of oratory and his considerable advocacy skills, there is one consistent approach and that is: Kill Meech, but shift the responsibility, blame someone else.

Some Hon. Members: Hear, hear!

Mr. Speaker: I would ask the hon. member, please, to keep to the point of privilege and ask her to make the point and please, clue up quickly.

Ms Verge: To sum up, Mr. Speaker, I call on the Premier to allow me and the other fifty-one members on the floor of this Assembly to vote on the motion we have been debating for the last twenty-five

hours, and I submit to Your Honour, that if the Premier denies us that right by adjourning the debate, then my privileges have been breached, and worse than that the people of the Province we are here to represent have been betrayed. Worst of all the Meech Lake Accord will be killed and there will be irreparable harm to Newfoundland and Labrador, and Canada as a whole.

Mr. Speaker: Order, please!

The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker.

Quite obviously a motion that simply requests the House to make a decision, cannot breach the privileges of members of the House. Mr. Speaker, we are seeing something rather strange happening here, and very, very unusual. We are seeing seventeen members opposite, who have indicated that they are in favour of the Meech Lake Accord, now insisting on a vote that it seems to me will result in a negative vote against the Meech Lake Accord. Mr. Speaker, there are people on this side who have indicated the way they are voting. That side over there has been solid. One wonders where the free vote is. I do not know for sure, but my interpretation is that if there is a hope sometime in the future of getting a positive vote from this House, by forcing a vote today you are killing it.

Mr. Speaker: The Chair will hear just one more. Does anybody want to make a new point? I have heard the same point from the Leader of the Opposition, the Member for Grand Bank, and the Member for Humber East. I will

listen to the Member for Mount Pearl but I will not be hearing anyone else if there are not new points made on the point of privilege.

The hon. the Member for Mount Pearl.

Mr. Windsor: Thank you, Mr. Speaker.

Speaking to this same point of privilege, the breaches of the privileges of the members of this House: I feel very strongly that my privileges have been breached, and indeed the privileges of all Newfoundlanders and Labradorians have been breached. We watched on national television while the Premier signed a document which committed he and this Legislature to taking a vote by the twenty-third of this month. Mr. Speaker, he is our Premier, duly elected to represent this Province, representing every member of this House of Assembly and every Newfoundlander and Labradorian. He gave the word of every Newfoundlander and Labradorian when he signed that document in Ottawa, and by now refusing to take that vote he has breached the privileges of every Newfoundlander and Labradorian. Mr. Speaker, more specifically he has breached the privileges of my constituents, the people of Mount Pearl, who took the time and trouble to come out to speak with me, to phone me, to write me letters, to share their views with me, so that I could stand in this Assembly yesterday and make a speech on their behalf, and say what they wanted to happen as it relates to the Meech Lake Accord. Mr. Speaker, the Premier has deceived the people of this Province into thinking that their democratic right to speak on this

national issue would be given an opportunity in this chamber today. I would submit, Your Honour, that it is a serious breach of privileges of this House and of every Newfoundlander and Labradorian.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair will again recess, briefly.

Recess

Mr. Speaker: With respect to the point of privilege, this matter again comes down to the Government's right to decide the business to be dealt with in the House. It is not unusual for a matter to be withdrawn, delayed or altered in various ways. With respect to the Premier's undertaking, he explained to the House that intervening circumstances caused him to recommend the decision that the debate be adjourned. With respect to certain other allegations made by honourable members in presenting their case, I again state that the difference of opinion regarding the proceedings and practises in the House do not constitute breach of privilege and I refer honourable members to Maingot, page 13. I therefore, rule that there is no prima facie case. The motion is that the debate be adjourned.

All those in favor, 'aye'.

Some Hon. Members: Aye.

Mr. Speaker: Those against, 'nay', carried.

Some Hon. Members: Division.

Division

Mr. Speaker: Call in the members.

All those in favour of the motion, please rise.

The hon. the Premier (Mr. Wells); the hon. the Minister of Fisheries (Mr. Carter); the hon. the Minister of Social Services (Mr. Efford); the hon. the Minister of Works, Services and Transportation (Mr. Gilbert); the hon. the Minister of Environment and Lands (Mr. Kelland); Mr. Hogan; Mr. Reid; Mr. Ramsay; Mr. Crane; the hon. the President of the Council (Mr. Baker); the hon. the Minister of Development (Mr. Furey); the hon. the Minister of Health (Mr. Decker); Mr. Walsh; Mr. Noel; Mr. Gover; Mr. Penney; Mr. Barrett; Mr. L. Snow, the hon. the Minister of Forestry and Agriculture (Mr. Flight); the hon. the Minister of Municipal and Provincial Affairs (Mr. Gullage); the hon. the Minister of Justice (Mr. Dicks); Mr. Grimes; the hon. the Minister of Finance (Dr. Kitchen); the hon. the Minister of Education (Dr. Warren); the hon. the Minister of Employment and Labour Relations (Ms Cowan); the hon. the Minister of Mines and Energy (Dr. Gibbons); Mr. K. Aylward; Mr. Murphy; Mr. Dumaresque; Mr. Short; Mr. Langdon.

Mr. Speaker: All those against the motion, please rise.

The hon. the Leader of the Opposition (Mr. Rideout); Mr. Hewlett; Mr. Hearn; Mr. Doyle; Ms Verge; Mr. Simms; Mr. R. Aylward; Mr. Matthews; Mr. N. Windsor; Mr. Tobin; Mr. Woodford; Mr. Hodder; Mr. A. Snow; Mr. S. Winsor; Mrs. Duff; Mr. Parsons; Mr. G. Warren; Mr. Greening;

Mr. Power; Mr. Hynes.

Mr. Speaker: Order, please!

The Clerk: Mr. Speaker, the vote is, 'Ayes' - thirty-one, 'Nays' - twenty.

Mr. Speaker: I declare the motion carried.

The hon. the Government House Leader.

Mr. Baker: I move that the House at its rising do adjourn until the call of the Chair and that the House do now adjourn.

Mr. Speaker: The motion is that this House do now adjourn.

On motion, the House at its rising adjourned to the call of the Chair.