

### Government Orders

I will give one:

The concept of "conventions" of the Constitution. It can be argued that the present federal proposals involve a process that is really backdoor constitution making, given that it is possible in the future for the high court to rule that these proposals form part of the conventions of the Constitution. Therefore you actually have the likelihood that these will be viewed in a constitutional way even if they are not specifically put into the written Constitution.

He summarizes and submits that "the present federal proposals use a process which is contrary to what Canadians wish to see as the process for constitutional change". As a matter of fact, I would parenthesize again and say that this process is totally outside constitutional law. The Prime Minister is tinkering with the Constitution outside of constitutional law.

The Supreme Court ruling of '81 casts serious doubt on the legitimacy of the process being used, in as much as what is being effectively done is tantamount to a constitutional change disregarding the convention of first obtaining substantial consent.

That raises a whole host of questions. Where is the substantial consent to these changes? Nowhere, except with 177 sheep. That is where the substantial consent is.

These federal proposals if passed could be viewed by the supreme court in the future as part of a convention of the Constitution and hence carrying more weight than is currently being ascribed to them.

It is scary stuff. Very scary stuff. What is going on is that we have a fundamental subversion of the constitutional process, of the very document on which Canada and the relationships not only between the provinces, but between us as Canadians are founded. These are the rules under which we live together. These are the rules under which our various jurisdictions function.

The Prime Minister, out of a sense of panic, has gone ahead and made these changes. He is oblivious to the fact that according to the expert I just quoted, because these changes will form part of a convention and a part of the way things are done, they could be viewed by the Supreme Court of Canada as being substantive changes to the Constitution.

Who has the Prime Minister consulted? No one. That is who. Let us briefly look at the consultation process. Did the Prime Minister go to members of his Liberal cabinet? If he did go to those members, what did the Minister of National Revenue say to him? Or did he totally disregard the fact that the Minister of National Revenue is supposedly touted as being the minister representing the viewpoint of the province of British Columbia?

He cannot have it both ways. Either he did not go to the revenue minister and the rest of his cabinet and did this thing on the back of an envelope with chewing gum and baling wire, or he did go to the Minister of National Revenue and chose to disregard the advice of the Minister of National Revenue. I suppose one could even ask if the Minister of National Revenue was awake that day and realized what a major problem we are stumbling into in Canada.

• (1630)

The second question: Did he go to his caucus? He said today in the House that he went to his caucus. I would suggest that he probably went to his caucus well after the fact, well after it was etched in stone, and caucus members were too embarrassed to stand up and be counted, as they should stand up and be counted on behalf of Canadians.

Did he go to provincial officials? Clearly not. We have received copies of letters from the premiers to the Prime Minister. I read part of a letter from the premier of British Columbia: "I am writing in regard to the bill currently before the House of Commons entitled an act respecting constitutional amendments. The Government of British Columbia strongly objects to the fact—", and it goes on and on. Where was the consultation?

We are led to believe by the news media that the Prime Minister, just by happenstance, may be calling some of the premiers to say: "Guess what we are doing today?"

In the *Calgary Herald* today the premier of Alberta is quoted going on about the fact that the Prime Minister was completely out of touch and had not contacted him. In fact, the premiers are still being told, probably by an aide to the Prime Minister, what is going on. Where is the consultation?

That is the crux of it. The blatant disregard which the Prime Minister and his party have for the people of Canada is appalling. He has not gone to the people of Canada at any point and he is talking about substantive changes to their Constitution. It is their Constitution and he ignores them. He does not consult them in any way.

Why would the Liberals vote for this egregious piece of legislation? I suppose it is that they like being parliamentary secretaries or chairmen of standing committees. Maybe they like the privilege of being able to travel around the countryside or on international junkets. I believe this is where the whip comes in.

When the hon. member for Mississauga West was on television a few weeks ago she said: "Look at the number of free votes we have had in the House of Commons". Sure, there have been free votes in the House of Commons for Liberal members, but