

The Constitution

Madam Speaker: Shall the remaining notices of motions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[English]

BUSINESS OF SUPPLY

ALLOTTED DAY S.O. 58—NON-CONFIDENCE MOTION—
PATRIATION OF CONSTITUTION

Right Hon. Joe Clark (Leader of the Opposition) moved:

That this House supports the immediate patriation of the Constitution of Canada, incorporating only the generally agreed upon amending formula known as the Vancouver consensus, so that all other constitutional changes shall be made in Canada by Canadians.

He said: Madam Speaker, I regret that I must rise today to introduce a motion which, I believe, could move Canada from a bitter impasse over constitutional questions in the shadow of the announcement by the government House leader that the Government of Canada intends to invoke the rules of closure to stop the Parliament of Canada from debating the Constitution of Canada.

Some hon. Members: Shame!

Mr. Clark: I regret indeed that hon. members opposite invoke closure when there have been more speakers on the motion from the government side than there have been from the ranks of the official opposition.

This matter will be discussed at greater length in the country and in the House of Commons, as indeed it was discussed during the pipeline debate when closure was used to stop the right of Parliament to debate a matter—

Mr. Cousineau: And to filibuster.

Mr. Clark:—which would have struck at the heart of the nation. We will discuss it more, but I want to make two points. One is that this is not the normal kind of stoppage of debate we have had. This is the closure of C. D. Howe. This is not the modified Standing Order 75C, so-called. This is pipeline closure. This is the kind of closure which was used, unhappily, in 1957 to try to ride roughshod over the rights of this House of Commons. That is what is being done again today by this government.

Some hon. Members: Shame!

Mr. Clark: It is interesting to note that the last time this kind of C. D. Howe closure was used, it was used to force upon Parliament changes in the rules of Parliament. It was used then for the first time in the history of the British parliamentary tradition anywhere in the world to change the rules of parliament. Now again that extreme and extraordinary meas-

ure of closure—that full force C. D. Howe kind of closure—is being used, to stop debate which has not been excessive, because government speakers have spoken more than hon. members in this party have, it is being used not on a minor matter but on the fundamental law of the land. Hon. members opposite do not want our constitution debated. They want to cut off debate. They want to stop the right of Canadians in Canada's Parliament to discuss the constitution of this country. That is unacceptable.

Mr. Collette: Rubbish!

Mr. Clark: Because we respect both this institution and this nation, for which disrespect has been shown by the actions of this government, and because we respect the constitution of this nation, what we are proposing, by contrast, is a means by which Canadians can act today to bring the constitution of Canada home today so that Canadians can change it here in Canada.

Some hon. Members: Hear, hear!

● (1510)

Mr. Clark: The motion that we have introduced provides:

[Translation]

That this House supports the immediate patriation of the Constitution of Canada, incorporating only the generally agreed upon amending formula known as the Vancouver consensus, so that all other constitutional changes shall be made in Canada by Canadians.

[English]

This motion calls for the Parliament and the people of Canada to act quickly on the one constitutional question with which virtually every Canadian agrees, that is, to have the constitution of Canada here at home in Canada.

Some hon. Members: Hear, hear!

Mr. Clark: Mr. Speaker, the Prime Minister (Mr. Trudeau) has consistently said he wants our constitution home, I have consistently said I want our constitution home, so has the Leader of the NDP and so has every other member of the House of Commons. What this motion offers is an opportunity to stop talking and to start acting to bring the Canadian Constitution home to Canada in a way that respects the rules and traditions of this House and respects the rules and the nature of this country.

Some hon. Members: Hear, hear!

Mr. Clark: More than that, this motion today provides a way to ensure that we can work with our constitution once we get it here. It allows the whole Parliament of Canada to approve an amending formula which was accepted in principle by the committee of officials working on constitutional reform through the summer and, even more than that, which was accepted in principle by all the provincial premiers when they met in Ottawa in September, and which was accepted in principle by the Minister of Justice (Mr. Chrétien).

Some hon. Members: Hear, hear!