

tion in 1982 wanted to give the Senate a lesser role, even a subordinate role—a suspensive veto—vis-à-vis that of the House of Commons.

Senator Olson: It was not for that reason, either.

Senator Murray: I am not aware that my honourable friend was one of the framers of the Constitution in 1982 so that he can speak clearly to the motivation behind it.

Senator Frith: But you don't have any such inhibition and you were not any such framer.

Senator Murray: Honourable senators, we have the evidence that a constitutional amendment must pass the various provincial legislatures, it must pass the House of Commons, and it will pass the Senate after six months if the House of Commons re-introduces it. We have only a suspensive veto.

Senator Frith: In that case, it will not pass the Senate. It will pass without the Senate.

Senator Murray: It will pass without the Senate, quite. What that amounts to, and surely Senator Olson will agree to this, is a lesser role for the Senate in the process of constitutional amendment—a role that is less than that enjoyed by or accorded to the House of Commons. That is a fact. It is not an interpretation. It is not a statement of anyone's motivation, it is a fact.

Senator Olson: It is your interpretation.

Senator Murray: Under the circumstances, I raise the question as to whether this house should not, as we normally do, defer to the elected chamber insofar as the process is concerned. We have a motion before us to refer this matter to Committee of the Whole. I must inform the Senate what I am sure most senators already know, that the government proposes that there shall be a joint committee of this place and the House of Commons. The Deputy Prime Minister has made a proposal, as of last Monday, to the house leaders of the other parties in the House of Commons. Indeed, he has left with them a draft joint order for the creation of a joint committee. So it seems as certain as one can be that we in the Senate will be confronted in a couple of days with a motion from the House of Commons asking us to concur in the creation of a joint committee of this place and the other place to study the constitutional resolution.

Surely we are not, therefore, going to anticipate that motion, which we know is coming, and which is based on a proposal for a joint committee, which we have known for some days was on the table. Surely we are not going to anticipate this by rushing ahead today and referring the matter to a Committee of the Whole. Is the Senate going to put itself in the position of refusing to concur with a motion which we know is coming to create a joint committee? I certainly hope not. I would have hoped that honourable senators opposite, and the Leader of the Opposition in particular, knowing what they know, would have agreed that the Leader of the Opposition withdraw his motion, or at any rate adjourn it, until we have heard from the House of Commons as to its desire in connection with the parliamentary process.

[Senator Murray.]

MOTION IN AMENDMENT

Hon. Lowell Murray (Leader of the Government and Minister of State for Federal-Provincial Relations): Honourable senators, I have an amendment to the present motion which I believe will accomplish the purposes of which I speak. My amendment, seconded by Senator Phillips, is:

That the motion be not now adopted, but that it be amended to read as follows:

That unless a message is received from the House of Commons by Wednesday, June 17, 1987, inviting the Senate to participate in a special joint committee on the Constitution, the Meech Lake Constitutional Accord and texts subsequently agreed to be referred to a Committee of the Whole for the purpose of hearing witnesses and making a report.

Some Hon. Senators: Hear, hear!

Senator Argue: A good try, but it won't work.

The Hon. the Speaker: Honourable senators, it is moved by the Honourable Senator MacEachen, P.C., seconded by the Honourable Senator Frith:

That the Meech Lake Constitutional Accord and texts subsequently agreed to be referred to a Committee of the Whole for the purpose of hearing witnesses and making a report.

In amendment, it is moved by the Honourable Senator Murray, P.C., seconded by the Honourable Senator Phillips:

That the motion be not now adopted, but that it be amended to read as follows:

That unless a message is received from the House of Commons by Wednesday, June 17, 1987, inviting the Senate to participate in a special joint committee on the Constitution, the Meech Lake Constitutional Accord and texts subsequently agreed to be referred to a Committee of the Whole for the purpose of hearing witnesses and making a report.

Is it your pleasure, honourable senators, to adopt the motion in amendment?

POINTS OF ORDER

Hon. Allan J. MacEachen (Leader of the Opposition): Honourable senators, I know that Senator Olson wishes to address this question now, but I would like to make it clear that I wish to raise a point of order on the amendment, which I regard as a new substantive motion requiring notice. In other words, it is not an amendment.

Senator Frith: Quite right. You could look it up.

Senator MacEachen: It is a substantive motion in itself, and its purpose could be achieved by a straight negating of the main motion.

Senator Frith: Agreed. Exactly.

Senator MacEachen: I simply assert that it is out of order, and I will be arguing that point.