

on the members of both houses of parliament. Parliament will see that the understanding between the provinces at confederation will be lived up to.

As a country Canada has made certain progress, but in order to acquire greater freedom we must be the masters of our own constitution. In other words, we should not be obliged to go to another country to seek authority to alter our constitution. Great Britain has always treated Canada well, but we desire to be free among the nations of the world and to have the right to change our own constitution. The essential characteristic of a nation is freedom to change its own constitution. As the British Empire and Commonwealth developed, more and more freedom was given to each member country. We have now decided that the time has come when we should have the power to change our constitution as we wish, without being obliged to ask permission of the Imperial Government. That does not mean that when we have that power we shall no longer continue our association with the other free nations of the commonwealth. Nothing of the kind is intended.

I agree that nothing should be done which would encroach on the privileges and rights of the provinces, and I have never heard anyone suggest that anything of that kind should be done. What we are trying to do is to become as independent as possible, within the commonwealth. As I say, we want to have the right to change our constitution without seeking permission from the Imperial Government in England. The Imperial Government has treated us very well, but still it is not proper that an independent nation should have to ask permission of some government other than its own when it desires to amend its constitution.

It has always been taken for granted by the federal government in this country, regardless of what party was in power, that our parliament had the right, without consulting

the provinces, to apply to the Imperial Government for a change in the constitution pertaining to the federal jurisdiction. On one occasion the provinces were consulted, when the purpose of the desired amendment was to increase the amount of yearly payments to them. But in general the federal government has not asked the provinces to approve amendments to the British North America Act. Sir John A. Macdonald and Sir George Etienne Cartier, who themselves were among the very originators of Confederation, believed that the federal parliament had the right, without reference to the provinces, to apply directly to the Imperial Government for a change in any part of the British North America Act affecting the federal jurisdiction.

I hope that when Canada is given absolute right to amend her own constitution nothing will be done to encroach upon the rights and privileges of the provinces. I do not think that anything of that kind could be done, because if at any time a province feared that any of its rights were being taken away, or threatened, it could apply to the Supreme Court of Canada for a ruling. There is to be a conference between the federal government and the provinces, and I hope that at that conference some means will be agreed upon for protecting provincial rights. After all, whenever a province has considered that its rights were in danger it has had to apply to some tribunal for protection of those rights. Is it not proper that the Supreme Court of Canada should in future be the tribunal to which the provinces may apply? It may be that the coming conference will be able to work out some procedure, satisfactory to the provinces, whereby the Supreme Court, as the final court of appeal, will give them a greater measure of protection in years to come than they have had in the past.

On motion of Honourable Mr. Haig, the debate was adjourned.

The Senate adjourned until tomorrow at 3 p.m.

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