

Private Members' Business

representing half the population but also a bilateral amendment with Quebec if the current provisions respecting these 24 seats were to be altered.

Bilateral and multilateral amendments are covered by section 43 of the Constitution Act. It provides that an amendment to the Constitution in relation to a provision applying to one or more but not all provinces requires the consent of the Senate, the House of Commons and the legislative assemblies of each province to which the amendment applies. Imagine getting that kind of agreement in the Senate, let alone in the provincial legislatures involved.

Bilateral or multilateral amendments are not subject to minimum and maximum time limits and do not require votes by a majority of the members of the legislative bodies involved. Otherwise they are subject to the same rules as the seven and fifty amendments and the Senate is limited to a suspensive veto.

Thus even if Parliament were to pursue the motion and seek to amend the Constitution in accordance with it, it is doubtful we could secure the requisite consent of the National Assembly in Quebec. Furthermore there is also no guarantee other provinces would approve of these changes.

The Ontario government of Premier Mike Harris could hardly be expected to weaken the province's influence in the upper chamber without getting something in return, being mindful of the defeat of former Premier David Peterson in 1990 after he agreed to give up some of Ontario's seats in order to keep the Meech Lake accord alive. We all remember that. I thought it was a generous gesture on the part of the premier but it was not popular in Ontario. Mr. Speaker, you would remember that; you have a seat in Ontario.

Smaller provinces like Nova Scotia and New Brunswick which together represent 6 per cent of the population and hold 19 per cent of the Senate seats are hardly likely to be enthusiastic supporters of the motion put forward by the hon. member for Mission—Coquitlam. Therefore I think there is very little reason to believe that these provinces would consent to any changes unless they got something in exchange, like a stronger constitutional obligation for the federal government to make equalization payments. I only throw that out as one suggestion out of many possibilities.

Furthermore we could not contemplate radical Senate reform without public participation. Various groups would argue that other constitutional issues are far more pressing than changes in the Senate and should take precedence over the Senate, things like entrenching specific rights of aboriginal peoples in the Constitution.

Again, I draw attention to the failure of the 1992 Charlottetown accord. This accord contained provisions for an elected, equal and more effective Senate, all the things that are in this motion. It was rejected in a federal referendum in nine provinces and two territories and in a provincial referendum in

Quebec. A majority of Canadians in a majority of provinces voted no.

Outside Quebec, Canadians rejected the accord by 54 per cent to 45 per cent with 1 per cent casting spoiled ballots. Quebecers voted 55 per cent no, 42 per cent yes. In the member for Mission—Coquitlam's province of British Columbia the Charlottetown accord suffered its most resounding defeat where 67.2 per cent voted no. Yet she trots into the House today and puts forward exactly the same provision that was in the Charlottetown accord.

I thought her party trumpets how democratic it is all the time. The will of the people in her own province was 67 per cent against this proposal and what does she do? She trots in here and proposes the same thing. I have hit another nerve and this one is from Saskatchewan.

Mr. Morrison: Mr. Speaker, I do not believe it is proper for a member to use deliberately inaccurate data when he makes—

The Speaker: Order. I think we are getting into debate. I am sure the hon. member will have his turn in a little while to refute whatever one hon. member or another says. We always have the interpretation of figures which can go either way.

• (1410)

However, I caution all hon. members in using the term. I believe I stand to be corrected, but deliberately mislead is an unparliamentary term and I would hope all hon. members would shy away from it.

Mr. Milliken: Mr. Speaker, I do hope these needless interruptions will not be taken off my time. I am pressed to finish what I think is an accurate speech and I am looking forward to the hon. member making his own instead of interrupting by arguing.

Again, I express my shock that the hon. member for Mission—Coquitlam would come forward with proposals very similar to what was in the Charlottetown accord after that accord was rejected out of hand by the electors of her riding, and even more shockingly was rejected by her party and opposed vigorously by her party while some of us had the good sense to support it.

Despite the fact that the accord contained provisions for major Senate reform, including measures to provide for representation of aboriginal peoples and new powers to veto any House of Commons legislation that changed taxation policy in key areas of natural resources, this accord failed. I stress that.

The Charlottetown negotiations demonstrated that agreement among first ministers, territorial and aboriginal leaders was possible, but it was not arrived at easily. Although the Reform Party leader referred to the accord negotiated by 17 parties as the Mulroney deal, it was in fact the result of a very complex process that required extensive accommodation and compromises.