

*British North America Act*

importance should be dealt with under a procedure which permits of only one debate. Think of it, sir! In even the most ordinary and commonplace bills we have three readings, together with consideration in detail in committee of the whole. In this instance, on the other hand, we are dealing with a matter which goes to the root of confederation, and yet we deal with it only as a resolution. There will be no consideration in committee; there will be no review in detail in committee; and it will be before the house for only one debate.

That is serious enough from the point of view of the opportunity needed by hon. members thoroughly to sift through the significance of the proposals; but, if I may say so, it is more serious for the country at large, because we know that in a matter such as this it is only as the debate proceeds in the house and the various points of view are put forward by hon. members that the true significance begins to permeate the electorate, through the medium of the press and other avenues of information.

We know that when a measure in the form of a bill goes through the various stages in the house there is an opportunity for the public to form an appreciation of the significance of the measure under debate, and to bring public opinion to bear upon the subject matter before the house. We see that happening every day. It is because of the necessity of informing the public, as well as to avoid unduly precipitate action in the house, that provision is made in our procedure for consideration stage by stage.

Yet here today we have just one opportunity of reviewing this subject in debate. When the vote is taken on the resolution, that will end the matter in the house. Whether the debate continues long enough to give the people of Canada an opportunity to appreciate the full significance of the proposal remains to be seen. But I wish to express my view that it is most regrettable that the procedure of the house permits a matter of such far-reaching importance as this one to be disposed of in a relatively summary fashion.

In view of the ringingly clear statement made by my leader this afternoon I do not think it is strictly necessary to say what I am about to say. However, I do wish to put myself clearly on record as stating that the time has long since passed when Canada should have the right to amend her own constitution within her own borders, both from the point of view of recognizing her own status and autonomy and of relieving the parliament of the United Kingdom of what

on some occasions has been a source of embarrassment. It was so in 1943, when the address presented by our parliament at that time was opposed by at least one provincial legislature.

It should not be possible now, with Canada a grown-up nation, to have a situation continue where embarrassment may be caused to the parliament of the United Kingdom in that fashion, and where we put ourselves in the position of having to go outside Canada to obtain amendments.

But, sir, to say that we ought to have in Canada complete power to amend our constitution as we see fit is a very different thing from saying that this parliament ought to have unlimited power to make amendments to the constitution. I think it is fair to say that in a good deal of the discussion of this subject in times past there has been a regrettable tendency to confound amendments made by Canada with amendments made by parliament, or at the instance of parliament.

I wish to say definitely that in subscribing to the principle that Canada ought to have within her own shores the power to amend her constitution in any way she sees fit, I do not mean at all that parliament should have untrammelled power to bring about amendments by itself. The question before us is or should be one of finding a formula for an amending procedure. With that should be linked the question of what method we should pursue at this time in relation to the legislatures and governments of the provinces in seeking that necessary formula.

I make it clear here and now that so far as I am concerned I do not think the method proposed by the Prime Minister (Mr. St. Laurent), the method inherent in the resolution before the house today, is a satisfactory formula or even a helpful beginning toward seeking a satisfactory amending formula.

Something was said this afternoon about the need for amendments. Sir, there are many amendments needed in our constitution. I believe we would find ourselves on common ground if we were to say in the first place that Canada ought to have the right to amend her constitution and, in the second place, that amendments are necessary. We are not here engaged in merely academic discussion. It has been a matter of wonder to me for a long time why we allow sections 55, 56 and 57 to continue in the British North America Act. They may be a dead letter, but they remain. These are the sections under which power is reserved to the reigning sovereign in council to disallow measures of parliament. They confer on the British government the right of reservation of legislation and the right of disallowance. It is a