

The resolution asking for this amendment marks an important constitutional development in the national growth of Canada. It is the first step in what will eventually be the vesting of Canada with complete power to amend her own constitution. We do not know what form the amendment will take, but in Canada will rest the complete and exclusive power to amend her constitution. That, honourable senators, is a matter of great constitutional import to this nation.

Hon. Mr. Haig: May I ask my honourable friend a question?

Hon. Mr. Farris: Certainly.

Hon. Mr. Haig: Does that power apply to language and education, or must those matters be considered by the Imperial Parliament?

Hon. Mr. Farris: They will come within our right to amend when the final steps have been completed. I am pleased that my honourable friend has asked that question, because apparently I did not make my point quite clear. This is what is now proposed: We say the Canadian parliament shall have power to amend its constitution, with certain specified exceptions. The first exception is such matters as my honourable friend refers to.

Hon. Mr. Haig: I understood that.

Hon. Mr. Farris: Then I am wondering what my honourable friend did not understand.

Hon. Mr. Haig: Am I to understand that, after this resolution has been approved, the right to amend the constitution with respect to education and language will still rest with the Imperial Parliament? Am I right or wrong in that assumption?

Hon. Mr. Farris: It depends on what my friend means by his question. If he means after this resolution has become effective, he is right: all these matters will still remain within the power of the Imperial Parliament until such time as conferences have taken place between the provinces and the dominion, and agreement has been reached. It is hoped that such agreement will result in another request to the Imperial Parliament to further amend the British North America Act by extending to Canada the power to make amendments as to all matters, including education, language and so forth. If agreement is reached, it will mean that there will be very well defined limitations as to the basis on which such a power may be exercised. I do not know, but it may be that amendments of that nature can be made only with the unanimous consent of the provinces. But honourable senators can speculate as to what will be done, as well as I can. In some

matters the procedure will be comparatively simple, but as to amendments of fundamental principles, there will have to be unanimous agreement by the provinces.

The question raised by the honourable leader opposite (Hon. Mr. Haig) is not before the house at the present time, except to the extent that, after the first step is taken in regard to matters considered to be entirely federal, a conference will be held with the provinces to see if some understanding can be arrived at as to the basis for a further application to the Imperial Parliament for amendments along the lines he mentions. That question is entirely in the future.

The consensus of opinion in this country is that the time has come when Canada should be responsible for her own constitution, its development and amendment; and the first step towards that end is now being taken by asking the Senate and the House of Commons to pass a resolution requesting that the dominion as a whole be given power to enact constitutional amendments concerning matters which are exclusively the concern of the dominion. When that has been accomplished, the next step will be a conference between the dominion and the provinces which, I notice by the press, will be held on January 10 next.

Hon. Mr. Davies: May I ask the honourable senator a question? Have the other dominions a right to amend their constitutions?

Hon. Mr. Farris: Oh, yes.

Hon. Mr. Davies: They have gone that far?

Hon. Mr. Farris: All of them. The only reason that we have not that power is that in 1931, when the Statute of Westminster was passed, this dominion was not prepared to agree on any method of amending its own constitution, and at the request of this country the power was left where it has always been.

Hon. Mr. Roebuck: Would the honourable gentleman tell us what are these matters which the Dominion Parliament in the future may amend?

Hon. Mr. Farris: My honourable friend does not want me to make my speech before I begin it? A good part of my speech will be in explanation of that very thing.

Hon. Mr. Roebuck: Thank you.

Hon. Mr. Farris: This resolution presents two issues for our consideration. The first and wider one is whether it is desirable at this time to make any changes to the end that Canada will have the power to amend its constitution. That is the broad general principle. Having considered that, if we answer it in the affirmative a second question will