

The Constitution

Mr. Turner (Vancouver Quadra): Don't be too presumptuous. Don't count on it.

Mr. Crosbie: I have no doubt that the Progressive Conservative Party will. Perhaps it is not likely that the Liberal Party there will not, but the Senate does not control it as it controls the federal caucus here by 72 to 40. Those are big odds, and we feel sorry for the hon. gentlemen opposite, knowing that they are in the hands of 72 elected Senators.

The Province of New Brunswick, through Premier Hatfield, has indicated its support.

An Hon. Member: Who is that?

Mr. Crosbie: Premier Hatfield has zapped you guys for 15 years and I will be very surprised if he does not zap you for another 15 years.

The Premier of Prince Edward Island has indicated that province's support. Premier Peckford of Newfoundland and Premier Buchanan of Nova Scotia have indicated their support.

If we pass the resolution, it will go to the Senate. The Senate may or may not pass the resolution, and if it does not pass the resolution within the next six months, it will come back to the House for us to deal with it a second time. Apart from that, there will be a period of one year from the time the House passes the resolution for the necessary number of provinces to act. The constitutional amendment will not become effective for at least one year from the time was pass it unless all 10 provinces concur with it. Since it is unlikely that all 10 provinces will concur with it, it will mean that once it passes this House there will be a period of at least a year during which, if the necessary number of provinces support it, it will become an effective constitutional amendment a year after we have passed it in this Chamber. That is the procedure, and I think there is a very good chance that the necessary support will be forthcoming.

● (1410)

If the majority in the Senate acts again in the same anti-democratic way as it did with respect to the borrowing authority Bill, with as little cause or as little reason to delay or veto legislation sent to it by the majority in this House, I have no doubt that it will aid us in our cause of having the necessary consent of those provinces. I do not believe any responsible Party or Government today would take the position that an appointed Senate, appointed in this particular manner, should be able to thwart what the people of Canada want through the Government they have elected.

I am coming to the end of my remarks. I have mentioned that the Senate has only a suspensive veto here. If it uses its suspensive veto, then it will be back before the House a second time. Perhaps the steps I have outlined could be completed by this autumn, but I doubt that we could have proclamation of this amendment until some time in 1986.

In conclusion, the resolution before the House is necessary, fair and reasonable. The only reason it was not brought in

many years earlier was that normally the majority in the Senate was the same as the majority governing in this House, that the Government has had a majority in the Senate. If that had not been the case, I think we would have seen this amendment proposed many, many years ago. If carried, it will remove a major anomaly in our system of democratic Government and will adjust the Senate's powers so that they are more appropriate for a wholly appointed second Chamber. In addition, this will launch the process of full consideration of the future of the Senate. It will allow Canadian people to be involved in determining what role the second Chamber should play or whether or not it should play a role at all.

I urge all Hon. Members to support this resolution, to support the principle of democracy. I cannot see in this day and age any Member of the House who would vote against the idea that it is the people of Canada to whom we are responsible. It is the people elected by the people of Canada in this House to whom the Government is responsible, not to the Senate. The Senate has not been given any authorization whatsoever by the people of Canada. It has no place in our structure except as an anachronism when it comes to finally deciding what should or should not pass into the statutes of the country. It has a power now which is no longer reasonable or explicable in the 20th century. It should be prepared, just as the Parties opposite should be prepared, to help us bring the Senate into line with the democratic realities of the 20th century. Anyone who is not prepared to do that has some explaining to do to the Government and to the people of Canada. How can it be tolerated any longer that a group in the Senate, not even of the same Party as the one which forms the Government in the House, should be able to say yea or nay to the people of Canada and to the Government of Canada? That situation is no longer tolerable.

I invite the Leader of the Opposition and the representative of the New Democratic Party to indicate their acceptance of that principle today, to agree to the longer term process of reform in the Senate and, with their co-operation, to have this resolution voted on this very day and sent to the Senate so that it as well can consider what its position should be.

Some Hon. Members: Hear, hear!

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in listening to the Hon. Minister of Justice (Mr. Crosbie) urge passage of his resolution in a single day, and in listening to him for so long, I wondered whether he was being consistent. I want to assure him, as one who believes in the supremacy of the House of Commons, that we will conduct our debate along those lines. I wondered whether his heart was really in it for a while when he mentioned those three vacancies in the Senate, but I hope he has not said things about our colleagues in the other place which will make it uncongenial for him if he should ever find himself there, for their memories are long. I do not think our colleagues in the other place will tremble when reading the words which the hon. gentleman uttered this morning and this afternoon.