

amendment would be brought before the House. He answered that it would be done as soon as there was consent—the sooner the better. He had an element of impatience which seems to prevail today but, on the other hand, he had the patience to see it through. He went on to say:

If it cannot be brought in as a result of co-operative effort between the provinces and the dominion, I fail to see how else it can be done. That is the one and only method.

Later in the year, the Right Hon. Mackenzie King commented thus:

We do not want to appear, let alone in reality, to seek in any way to coerce any province of the dominion.

Here was a Liberal prime minister seeking to amend the constitution but clearly unwilling to pursue such an amendment without unanimous support of the provinces.

Eventually, in 1940, full support of the proposed amendment was achieved and a resolution calling on the King to lay before the British parliament the bill containing the proposed amendment was passed by both Houses of Parliament in Canada. The justice minister of the day, Ernest Lapointe, made special note of the support for the resolution which he introduced. He said, "Always we have tried to get the approval of the provinces to an amendment of this kind". Mackenzie King himself said, "The difficult but most necessary part of the whole business was to get the consent of the provinces." I think the words "most necessary" are certainly the important ones in that passage. The right hon. gentleman realized that constitutional amendments required consent of the provinces, that the federal government is in fact the child of the provinces, that the provinces are not the serfs of the central government.

Where is the wisdom of such a man as he today? Besides Mr. Mackenzie King and Mr. Laurier there was also Mr. St. Laurent, Mr. Diefenbaker and Mr. Pearson, all of whom sought constitutional change only after a consensus had been reached with the provinces. Mackenzie King also realized that consent could not be achieved on a broad range of issues. He stated that success had rested on the fact that the provinces had only been asked to agree to an amendment confined to one topic. Again, to quote:

—the circumstances which enabled us to get the approval of all the provinces was the fact that we were asking for only one amendment. May I say that if we had ventured to go beyond we would probably have met with further objections on the part of some, if not all the provinces.

This idea also seemed to prevail with Mr. Laurier in 1907. Only an amendment on subsidies was sought. In 1951, with Mr. St. Laurent, only an amendment on old age pension was sought. In 1960, with Mr. Diefenbaker, only an amendment with regard to the tenure of judges was sought. In 1964, with Mr. Pearson, further amendment was sought to the Old Age Pension Act, once again a single issue amendment with a single subject. In each instance, consensus was achieved. The nation retained its friendly relations, one province with another, and each province with the central government. Here are five clearcut examples, even precedents, of governments seeking constitutional change with, and only with, consent of the provinces.

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The present government might ask how it was done. It might also ask a further question of itself: why can we not do it? I believe two elements provide the key: first, the spirit of co-operation, of compromise, and, second, single issue amendment which means going after only one amendment at a time. I think it is safe to say that if the government had attempted patriation with an amending formula it might not have got into the struggle with the provinces in which it now finds itself. But the sheer enormity of the goal, that is, to reach a unanimous decision on 12 issues, made it impossible to achieve. That is what happened at the last meeting of the first ministers.

What did the government do when this route failed? Did it see the light and try to come to terms on just one issue? No, the government chose to throw aside 100 years of history, history laden with that spirit of compromise and consensus. It chose to throw that aside and act unilaterally, bringing in those amendments which the government most desired. In doing so, it has tried to wrap those elements of the amendment which it knows would be most objectionable to the people in an "academic gloss on real life", if I may be so bold as to borrow the words of the Secretary of State for External Affairs that is what he calls the British right to listen to the provinces; their right not to accept immediately the position or demands of the federal government. Those are the things he calls the academic gloss on real life, things which in the past have proven crucial to the process of constitutional change. Those are the things that he and his government choose to slough off as mere technicalities.

It is obvious that the government also wishes to avoid the technicalities of this proposed resolution and prefers to wrap them up in the appealing sugar-coated gloss of generalized advertising campaigns and motherhood issues.

I for one, and I believe this is a position much supported on this side of the House, find this whole matter repugnant. It shows a high level of contempt for the lessons of history from which we are supposed to draw our knowledge and on which our basic government and system of justice have long survived to the benefit of all Canadians. It would be unfair, however, to accuse the present administration of being totally ignorant of history. Rather it is aware only of that portion of the past which facilitates its needs.

Mr. Deputy Speaker: Order, please.

Mr. McCain: May I call it ten o'clock?

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.