

It should be noted the bill does not provide the details of a question, it does not settle the timing of a question, and it is going to be important that that be worked out in committee.

I hope the committee that is considering this bill will look at amendments to the bill which will not just leave it to the government alone.

• (1220 )

**Mr. John Harvard (Winnipeg—St. James):** Mr. Speaker, I am pleased to participate in this debate on Bill C-81.

I support the principle of this bill and I emphasize the principle of the bill because I see flaws in it. I would like to discuss those flaws and my concerns in a moment.

It is clear Canadians want to be consulted on the matter of constitutional change. They want a say in the reshaping of our fundamental laws and we in the Liberal Party believe Canadians deserve nothing less. That is why we support a national referendum. After all the Constitution is not owned by politicians; it belongs to the people of Canada.

People are saying they do not want another Meech Lake. No more secret, late night meetings; Canadians must be full partners in the process.

I want to get to some of the reservations I have about this bill because I believe, as do my colleagues on this side of House, that the bill can be improved considerably. We sincerely hope that the government will consider amendments very seriously at the committee stage examination of this bill.

It is unfortunate that we are discussing this bill now. There has been an unfortunate delay concerning referendum legislation. After all our leader proposed a referendum one year ago. There have been all kinds of signals from across Canada, including signals from a couple of parliamentary committees, for the need of having a referendum tied to any constitutional change.

Unfortunately the government sat on its hands and did nothing. Now at this very late hour, when there is what you might call a bit of panic in the country, we have Bill C-81 before us. It is really unfortunate that the govern-

### *Government Orders*

ment did not bring forward this legislation, if not months ago certainly weeks ago.

Let us take a look at some of the other concerns that we have on this side of the House. This legislation, Bill C-81, provides for a referendum but only on an optional basis. In other words it does not make a referendum mandatory before proceeding to any constitutional change. I believe that is unfortunate.

We know that the Constitution does not require referenda before changes are made. I am aware of that. We can certainly have legislation in this House that ties our hands, that binds parliamentarians to having a referendum and observing its results before we proceed toward constitutional change. It is very unfortunate that this legislation provides for a referendum but only as an option. There is also the question of the question. There is nothing in this bill that sets out the question. There is nothing in this bill that provides us as parliamentarians with a full role in the determination of what the question is. From my reading of this bill, the question will be left to the determination of the government. Again that is very unfortunate.

If we are going to have fairness in the process, if we are going to have Canadians supporting the process, then Canadians will want to see full participation of all parliamentarians, not just the government. It is unfortunate that the mechanism for determining the framing of the question, determining the timing of the question is not written into the legislation.

One of the gravest concerns I have is the lack of provision in the bill for a double majority. I want to touch on that in some detail because we all know that referenda raise fears. Referenda can be very divisive.

We have had a couple of national referenda, or we might call them plebiscites, in this country in the past. They have been referred to. There was one in the 19th century having to do with prohibition. There was the famous one in 1942 relating to conscription. In both cases the plebiscites or the referenda succeeded but they were divisive because, in effect, they produced a result of having one part of the country saying no and another part of the country saying yes. That by definition is divisive. We do not want to face that possibility in another referendum relating to constitutional change.