

*The Constitution*

I know that there are members opposite, and perhaps others, who are concerned about the effectiveness or adequacy of this method as a procedure for breaking the deadlock. All I can say to that is, "Let us get the bill into committee and let us have changes proposed as quickly as possible". Clearly, in the resolution we have brought forward, the series of provisions which we think command public support would be the most publicly acceptable. We are anxious to see if improvements can be suggested and if improvements are suggested, the proper place for that to take place is in committee.

● (1620)

**Mr. Knowles:** Mr. Speaker, would the minister permit a question at this point?

**Mr. Roberts:** Mr. Speaker, if the hon. member would permit, I would prefer to take the question at the end of my remarks, and I shall try and leave a minute for it. I shall not go on too long. I think he will be rather pleased with the next stage of my remarks and I do not want to deprive him of the pleasure of that. My reference is to the point of view expressed by the leader of his party during the debate, and that is what I wish to turn to now.

I suggested that the point of view expressed by the Leader of the Opposition in the opening days of debate was peripheral—and I do not mean that in any slighting way—but it seems to me that the leader of the hon. gentleman's party cut through to the essential questions that should preoccupy the House.

The amending procedure is something that can be discussed adequately in committee.

I am going to cite the words of the hon. member for Oshawa because I think they put the question before the House very well. As reported at page 3296 of *Hansard* for October 6, he said:

The first question is—is it legitimate, is it appropriate at this time, for the Parliament of Canada, alone, to be supporting a resolution that would change the constitution of this country.

I want to discuss that question. He went on to say:

The second question to be answered, whatever one decides on the first, is whether the particular package we have before us on a range of matters... is one we should support on its own terms—

I wish to say a few things about that as well.

The first question relates to the legitimacy of acting now in the way that we have proposed to the House. My argument would be that if one examines the history of attempts over more than 50 years for Canadians—officials, governments, the people of Canada—to resolve these questions, and if one looks at the urgency of the question now, given the regional discontents in our country expressed and dealt with most recently in pressing fashion in the Quebec referendum campaign—if one looks at the history, if one looks at the present crisis, if one looks at the opportunity, now is clearly the time to act.

On the final day of the first ministers' conference when provincial premiers were summing up their points of view, some of them remarked how wonderful it had been because it was such an educational experience and that they were finally

getting to see, in substance, all the dimensions of the constitutional problems. If that is the case, Mr. Speaker, we have been educating ourselves for well over 50 years. It is time we graduated. There have been a whole series of attempts, all of which ended in futility—attempts to change and resolve the problems dealt with by the resolution presented to the House.

There was the dominion-provincial conference of 1927 because at that time Great Britain wished to relinquish its powers of direction over Canadian law. Discussions were held with the provinces to try to arrive at some sort of amending procedure. The proposals reached were rejected by a number of provinces.

In 1931 we tried again as a result of a request from Ontario when a dominion-provincial conference was held in the spring of that year, but no agreement was reached.

A special committee of the House of Commons was established in 1935. Between February and the end of June it held 11 sessions but could not reach agreement.

A dominion-provincial conference was called in 1935 and a continuing committee was established on constitutional questions which sat well into 1936 and reported on March 2. No further action was taken because World War II intervened.

After the war, in 1950, there was a fourth attempt to try to reach agreement, but the committee could not reach agreement and a conference convened in Quebec in September to discuss the findings of the committee equally could not come to a successful conclusion.

In 1960 the conference of attorneys general convened. It met four times before September, 1961, but failed to come to any conclusion. A draft bill was prepared for the House of Commons but it did not receive the approval of the provinces and that initiative was dropped as well.

In June, 1964, discussions were reopened, but in January, 1966, the Quebec government indicated that it would not accept the proposals put forward, so that failed.

In February, 1968, the first ministers came together and began discussions which culminated in the Victoria conference of 1971. Again, the provinces were unable to agree on constitutional change at that point, because of the disapproval of the province of Quebec.

In April, 1975, there was a federal-provincial conference, an eighth attempt to find an amending formula which would suit the country. Again, in October of that year, the provinces informed the federal government that they would not agree to the patriation exercise but wished to have a much wider ranging discussion on constitutional reform.

The ninth attempt was in 1978-79. This led to the presentation to the House of Commons of Bill C-60 at the end of October, 1978. As most hon. members know, this was the subject of very considerable discussion and controversy.

Earlier this year, from June to September, my colleague, the Minister of Justice (Mr. Chrétien), and I participated in an attempt to find a common basis of agreement with the provinces on constitutional reform.