

of the opposition of a very few members in this house. We based our objections on the very same grounds raised this afternoon by the hon. member for Lake Centre. At the time he was in favour of amending the constitution.

We have read and heard many suggestions regarding the procedure to be adopted for the amending of our constitution. Different points of view have been expressed by experts, politicians and laymen. But there is one point on which I believe everyone agrees at the present time, namely, that the time has come for our country to adopt, once and for all, a procedure which would enable us to amend our constitution, when necessary, without being obliged to have recourse to another country; provided, however, that this procedure does not come into contradiction with the principle which was at the basis of confederation, namely, a compact between the two races, the French and the English.

The history of the confederation movement, together with the Quebec and London resolutions, indicates clearly that the provinces of Canada could not have united in 1867 except on the basis of a federal constitution, and also on the basis of effective guarantees for the interests of the French minority, especially in respect of language, civil law and religion.

At this time I should like to cite some declarations of persons in authority. As early as 1920 in this very chamber, the then leader of the opposition, now the Prime Minister (Mr. Mackenzie King), said, as reported at page 468 of *Hansard*:

But I would like to submit to my hon. friends opposite that perhaps it would be more in accord with the status which Canada has as a self-governing dominion or nation within the British empire if, instead of presenting an address to His Majesty to ask His Majesty's consent to the parliament of the United Kingdom amending the British North America Act in the two particulars mentioned, the government should consider the advisability of an address being presented to His Majesty to have powers given to the parliament of Canada, subject to the concurrence of the several provinces of the dominion, to amend the constitution of Canada in such particulars as may be agreed upon as a result of conference between the provincial and federal authorities and approved by this parliament and the legislatures of the different provinces.

I have here a copy of the constitution of the Commonwealth of Australia and of the Dominion of New Zealand. Both Australia and New Zealand have the right to amend their own constitutions in the particulars mentioned therein. Why should this parliament not have the same powers to amend its own constitution, subject to the safeguards that are necessary to comply with the spirit of the act of confederation, as have these other nations within the British empire?

[Mr. Dorion.]

In the course of the same debate, Hon. Mr. Doherty, Minister of Justice, speaking for the then Conservative government, said at page 479:

Now nobody has ever disputed that legally the legislative power is supreme in the parliament of the United Kingdom and it follows that the British North America Act—though in reality and in substance a compact between the provinces is in form an act of the parliament of the United Kingdom. Such being the case when that act has to be modified we have to go through the form of addressing ourselves to that parliament of the United Kingdom. But to suggest that that throws any doubt upon our constitutional status as a nation within this empire I think only implies a confusion between what may be the requirements of the law and what, side by side with those requirements of law, may be the constitutional rights of the nations or peoples within the empire. We have the two things, we have the law and the constitution, and they do not always agree—sometimes they are in absolute contradiction.

He went on to say:

The hon. gentleman went on to say apropos of this condition, that what we ought to have, instead of what we are asking in these resolutions, is a power in this parliament, subject to the concurrence of the provinces, to amend our own constitution. In that I am most heartily at one with the hon. gentleman.

Since then, many other debates have taken place in this house, and I believe I can state without fear of contradiction that every time this question was raised the official policy of the Liberal as well as of the Conservative party remained the same; that is to say, that to complete our status as a sovereign nation within the British commonwealth we should not suffer the humiliation of being obliged to humbly request another country to amend our own constitution. I did not deem it necessary to report any declarations by members of the C.C.F. party, because it is a well known fact throughout the country that since its foundation the leaders of that party have expressed their views on this matter on many occasions. The late Mr. Woodsworth, first leader of the C.C.F., and also its present leader have not only seized the opportunity but grasped every occasion to claim for our country this element of sovereignty.

I deem it proper to recall a principle which is at the basis of our constitution and which has been clearly stated by jurists as well as by political leaders on many occasions. This constitution, like that of all countries connected with the British empire, is partly written and partly unwritten. In the course of the 1926 electoral campaign the Prime Minister took advantage of several occasions to emphasize the soundness of the confederative pact. In *Le Soleil*, mouthpiece of the