

*The Constitution*

must at least once a year, during that two-year period, hold a constitutional conference to discuss the matter and try to come to an agreement, especially on the final amending formula. And, therefore, to suggest that we do not want to consult the provinces any more, that we will have no more constitutional conferences is turning the facts upside down. In the proposal there is a specific section under which we must hold a constitutional conference at least once a year during the unanimity-rule period, the two-year period. And if during that two-year period the provinces and the Canadian government agree on some mechanism, some amending formula, good! This will solve the problem for the future, and everyone will be happy.

If there is no consensus, then the provinces will have the privilege and the right to propose their own amending formula, provided that it is supported by 80 per cent of the provinces, that is eight provinces, representing 80 per cent of the Canadian people. Of course the formula has to be serious and it must get sufficient provincial support to justify a referendum. We, the Canadian government, will oppose that formula since we will not have agreed to it. We will then propose the Victoria formula, the last one on which provinces were all agreed in 1971 with the federal government. This is the formula we support, that is the provinces that will have received support from 25 per cent of the people before proclamation day. Therefore, for all practical purposes, if on the one hand, Quebec, Ontario and two western provinces representing 50 per cent of the people, and two maritime provinces representing 50 per cent of the people on the other are in agreement with the Canadian government, the change can be made. Such is the Victoria formula. This is what we propose and if in two years there has been no agreement, it will be our formula. We reserve the right to change it and put it on the table in opposition to that put on the table by 80 per cent of the provinces supported by 80 per cent of the people. And we shall go to the people. We shall not decide by ourselves, we are going to ask the people who are sovereign to choose the best amending formula for the future, to prevent constitutional deadlocks and to enable us to progress and to make amendments. This is what is provided for by the mechanism; it is not complicated. We are going to have a referendum if there is no agreement and if eight provinces agree on a formula, we shall propose our own formula and the people will decide. This is how it should work. Ultimately, if ever the provinces do not agree to submit an amending formula, then the Victoria formula I have just described will apply. Moreover, there is section 42 providing that if we really cannot get the consent we require to amend the constitution under the Victoria formula, the people will always be the judge in the last resort, to break the deadlock. This is what the right hon. Prime Minister (Mr. Trudeau) said today while answering the questions of the official opposition. This is the purpose of section 42 which enables the Government of Canada to hold a referendum on a matter requiring an amendment to the constitution. This is essentially the intent of this piece of legislation, to break a

constitutional deadlock where we would be unable to come to an agreement to amend the constitution within the limits of the amending formula which will apply at that time.

Mr. Speaker, those are the four basic changes we want to make on the constitutional level. Now I ask: does any one of those changes, any one of those aspects take away a right enjoyed by any Canadian province to give it to the Canadian government, the federal government? Absolutely not. What we are trying to do, Mr. Speaker, is simply to make the legislatures and ourselves, the federal government, respect the Canadian people, respect basic rights in Canada and respect the rights of Canadians as individuals. That is what we are trying to do.

The way in which we have chosen to do this is not very complicated: we are going through Parliament, because it is the only legitimate, legal and recognized way we can proceed after the deadlock and the lack of agreement which resulted from the last constitutional conference. What is wrong with using the most noble institution in the country where the democratically elected representatives of the entire Canadian people, from all regions of the country sit? What is wrong, Mr. Speaker, with using this institution to implement our constitutional proposal?

Hon. members from all political affiliations and representing all regions from coast to coast, are entirely free to take part in this debate, to suggest amendments at the committee stage and to argue their points in a constructive way, so that this resolution be adopted with reasonable delay. And Parliament, in my opinion, is the perfect instrument to carry out this noble task. There are three stages.

Once again, to enlighten the ordinary guy who wonders what we are doing, what is the issue we are debating, I will say that it is a motion calling for a reference to a committee of the resolution I was referring to. And this committee will sit until December 9. At the committee stage, there are a few fairly technical aspects to be considered. There are several clauses. It is not a committee which will travel to every part of Canada, as the Leader of the Opposition (Mr. Clark) would like it to. It is not a committee which would travel to Jerusalem or anywhere else. It is a committee which will sit in Ottawa. It will look into the technical aspects of this project and call for witnesses to appear, but its main responsibility will be to finalize the text of our constitutional project over a limited period of time not exceeding six months and not for an extended period as the Leader of the Official Opposition would have it, pending a judgment on some premiers' appeal to the courts.

We would like the committee to report not later than December 9. The date coincides with the end of supply proceedings. It is a matter of parliamentary procedure so that in a third phase—it can be noted how generous we are to Parliament providing as we do three opportunities for debate. We could very well have introduced a mere resolution and held a