

address. But under the present amending formula, which, incidentally, was passed by the House of Commons, the House of Commons has sent us this request to join with them in a joint committee. Then, together with the necessary provinces, it is sought to have the amendment take place by resolution of the Senate, not by a joint address. The amending formula requires a resolution of the Senate, a resolution of the House of Commons, and a resolution of the necessary number of provinces.

So, the process that is now in place is not a joint address by the Parliament of Canada, it is a series of resolutions by the Senate, by the House of Commons and the necessary number of provinces, each of which has its own individual resolution. I assume, for example, that Ontario and Quebec, or Ontario and Manitoba, will decide not to have a joint committee to look after their responsibilities, which are separate and not joint.

Honourable senators, we now have, with that method in place, the suggestion that we should proceed by joint committee to investigate and carry out our separate functions.

It is said—and I believe that there is support for this—that when the Constitution was amended to set up the present formula, and when section 47 was passed, which is the section which provides that the Senate can be bypassed in constitutional amendments, and that 180 days after the House of Commons passes its resolution—not a joint resolution, but its own resolution; another evidence of the separation of the Senate and the House of Commons with separate functions to perform—and the House of Commons passes it again, it can then take effect by proclamation, without the intervention of the Senate.

Again the Senate was given a different role. It has been said that the reason it was given a separate role in the section that provides for resolutions was related to the fact that it now has a separate timetable and was asked to take only a suspensive veto. That is another reason to consider our responsibilities as being separate.

● (1420)

What is before us now is one of the other partners in the amending process, namely, the House of Commons—and it could as easily be the Province of Ontario or one of our other partners in the process—I suppose because of what seems to me to be the House's rear view mirror approach, not having really read the Constitution, not having thought about the fact that there is a different process, and thinking that we have always had a joint committee, and that there is no reason to have another one now—asking us to join with them in a joint committee with unequal representation. Do they have that in mind? If they were to stop looking in their rear view mirror of pre-1981-1982, and if they were to look at the present proceedings, why would they be asking us to join in a committee on which they, the House of Commons, will have a majority? You have heard what was read.

If they have read the Constitution, do they mean to say, "We know that you, as senators, have a separate responsibility and a separate timetable, but we want your process to be

[Senator Frith.]

governed by a committee on which we have the majority." Why would they want to do that, unless they wanted to control totally the carrying out of our responsibilities, that is, the responsibility that each one of us has constitutionally as a senator to approach this matter with our own separate, distinct responsibility? It can only be because the House of Commons wants to run the show. If that is the way they want it, they should have said that in 1982. They should have said, "No, we are not going to give the Senate a separate responsibility." They had the chance. They voted for a constitutional amending formula that gave us a separate responsibility. Now they come back to us and say, "Yes, but we still want to run the whole show." Not only do they say they want it to be joint—although they said it was going to be separate, and voted for its being separate—they want to run the whole show, and they want to have a majority.

Honourable senators, I am sure you can see how they would respond if it were the other way around. Suppose that we put forward this resolution and asked them to join, and let us run their show with us having a majority. You can imagine what the response would be.

The NDP said that they could not understand why—one of the reasons they could not understand why is because they never took the time to read the Constitution—senators wanted a separate committee; that it was outrageous that a bunch of hacks, flacks and bagmen were presuming to look after their own constitutional responsibilities. I assume they voted for this motion since I hear it was passed unanimously, but if that is what they think of us, why do they want us to serve on their committee?

I say that we should say to them, "Thanks for asking. Go back and read the Constitution. Look after your responsibility. Let us hope that Ontario, Quebec, Prince Edward Island and all the other provinces will look after their individual responsibility, but we mean to look after ours, and we do not need any help from you. We have already set up our own committee and we will do our job. You will hear from us. Don't call us, we'll call you. You do the same thing, that is, look after your own responsibilities, mind your own business, and let us look after ours."

Some Hon. Senators: Hear, hear!

Hon. Eymard G. Corbin: Honourable senators, I am rising on a point of order. I had intended to do it immediately after Senator Murray's remarks, but Senator Frith had already taken the floor. In the course of his remarks the Honourable Leader of the Government alluded to, commented on and, indeed, reflected upon the vote taken in this house last week on the question of establishing a Committee of the Whole to study the Constitutional Accord. He did so, and I think I am correct in quoting him, by referring to "a decision of a majority" in this house. Besides the point that a decision of a majority in the house is, in fact, a decision of the whole house, I would like to object to Senator Murray's remarks inasmuch as they offend parliamentary practice.