

discussing the resolution was to invite the committee to report no later than March 1, but that was defeated.

Senator Perrault: Honourable senators, I can only say that the distinguished leader of the Conservative Party—

Senator Flynn: You have come half way.

Senator Perrault:—seconded the motion in the other place, which rather suggests to me that there was a substantial amount of support for the date of February 6 on the part of the Conservative Party.

Senator Flynn: I am not opposing it.

Hon. Richard A. Donahoe: Honourable senators, I intend to support the motion before us, which I consider an excellent one. I do not believe there is any thinking person in Canada who thought that there was anything proper or realistic about the original deadline that was set for the report of this committee. It must have been obvious, and was obvious, from the very beginning that December 9 would give no real opportunity for those persons who wished to do so to make their views heard and thus play some part in the shaping of our Constitution.

Accordingly, from the very beginning, we on this side said that the date should be extended. As my leader has just said, we moved in this house that it be extended to March 1. Subsequently, in the other house there was a motion, and I believe the date selected there was February 6. February 6 is now the date for the presentation of the report of the special joint committee.

I rise because I would not want it thought that because we once moved that the reporting date be extended to March 1, while in the other house there was a motion moved to extend it to February 6, we necessarily thought that was the beginning and end of the matter, or that we agreed that by advancing the report date to February 6 we were, in fact, giving adequate opportunity to the Canadian people to make themselves heard in this process of constitutional amendment. At the time we moved that the date be March 1, and members of the other house moved that it be February 6, there was a list of persons who had indicated their desire to be heard, but since those motions were made that list has grown considerably longer. Instead of there being relatively few people saying they had views which they wanted to put before the committee, there are now hundreds of such persons and groups of persons. At that time we were of the opinion that it would be possible to bring before the committee all those persons, learned in the law and skilled in constitutional matters, who would have opinions on the propriety and desirability of what was being done, and that those views would be put before the committee in order that it might have the benefit of that distilled wisdom. As it turned out, they have been deprived of that opportunity, and even now, with the extended date, they have no assurance that that opportunity will be granted to them.

● (2015)

I rise at this time merely to say that nobody should interpret the agreement today on February 6 as meaning that those who

[Senator Flynn.]

agreed to that date are necessarily saying that that settles the matter once and for all, and that there might never arise in the future conditions which indicate that there is no necessity for extending it further. I do not believe anybody should have that opinion, since it may very well be that as February 6 approaches it will still be possible to demonstrate that that date is too early. I understand, in some of the speeches made in the House of Commons before the vote was taken on the extension, that the caveat was voiced that this was, in fact, the attitude of those who were prepared to support the extension to February 6.

I want to be sure that there is no misunderstanding about what we on this side of the house feel with respect to this. While I support the motion, because I think it is desirable, I reserve the right to insist later that it may be appropriate to extend the date still further.

Hon. G. I. Smith: Honourable senators, I am not going to take up very much of your time—

Hon. Senators: Oh, oh.

Senator Smith: Do not be so encouraging, or I might find it useful to help you appreciate more the fact that at some other time I might take less of your time.

I rise to say that I concur with the view of the Honourable Senator Donahoe to the effect that we may find—and I think it very likely that we will find—that February 6 is not a tenable date, and I do not want to be bound by silence tonight to the view that I subscribe to this as being the final date. It is obvious to anybody who knows what is going on in that committee, and the requests to be heard that have poured in, that the committee would have to perform marvels of accomplishment of hard work, day and night, to give adequate response to all those requests before February 6.

Hon. David Walker: Honourable senators, I have said from the beginning, and I repeat, that the best you will do in respect of this matter is patriate the Constitution, and, if you are lucky, you may get a formula. That, however, is all you will get, and that will go through the British houses of Parliament. This extension of time just means more waste of time, if one can judge by the complete lack of progress to date. It is like the confusion of Babel over and over again.

Hon. Louis-J. Robichaud: Honourable senators, I have listened to the arguments on this question so far, and as a Canadian I appreciate the extension of the time, within which the conclusions of this committee are to be reported, from December 9 to February 6. I think that is great, but an understanding of why there might be a further extension is beyond me.

Senator Flynn: Agreed.

Senator Robichaud: I can understand Mr. X and his wife, or perhaps Mr. Flynn and Mrs. F, making an application to appear before the committee, but that could be kept going indefinitely. There is absolutely no question about that. Our friends on the opposite side realize that.