

*The Constitution*

**Mr. Collette:** I ask, Madam Speaker, that all remaining notices of motions for the production of papers be allowed to stand.

**Madam Speaker:** Shall the remaining notices of motions be allowed to stand?

**Some hon. Members:** Agreed.

**GOVERNMENT ORDERS**

[English]

**THE CONSTITUTION****ESTABLISHMENT OF SPECIAL JOINT COMMITTEE OF THE SENATE AND HOUSE OF COMMONS**

The House resumed consideration from Friday, October 10, 1980, of the motion of the Minister of Justice and Minister of State for Social Development (Mr. Chrétien):

That a Special Joint Committee of the Senate and of the House of Commons be appointed to consider and report upon the document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada" published by the government on October 2, 1980, and to recommend in their report whether or not such an address, with such amendments as the committee considers necessary, should be presented by both Houses of Parliament to Her Majesty the Queen;

That 15 Members of the House of Commons to be designated no later than three sitting days after the adoption of this motion be members on the part of this House of the Special Joint Committee;

That the committee have power to appoint from among its members such subcommittees as may be deemed advisable and necessary and to delegate to such subcommittees all or any of their powers except the power to report directly to the House;

That the committee have power to sit during sittings and adjournments of the House of Commons;

That the committee have power to send for persons, papers and records, and to examine witnesses and to print such papers and evidence from day to day as may be ordered by the committee;

That the committee submit their report not later than December 9, 1980;

That the quorum of the committee be 12 members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented and that the joint chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when six members are present so long as both Houses are represented; and

That a message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it to be advisable, members to act on the proposed Special Joint Committee.

**Mr. Pat Nowlan (Annapolis Valley-Hants):** Madam Speaker, as the record shows I was able to get the Speaker's eye last Friday and begin my few remarks on a subject that is pretty fundamental and important and which obviously cuts to the very heart and soul of this country. I refer, of course, to the constitution.

Had I faced any problems in continuing my remarks they would have evaporated after the amazing exchange that occurred today between the Leader of the Opposition (Mr. Clark) and the Prime Minister (Mr. Trudeau). In answer to a question from the Leader of the Opposition, the Prime Minis-

ter said, in effect, that the government will achieve its objective in going by the back door to England to amend the form of government that this country has known until now. We know that even going by the front door alterations affecting the Senate, could not be achieved in the Parliament of Canada, because of the Supreme Court. It is an amazing situation, Mr. Speaker. We may talk about trickery, sneakery or anything else, but when we are considering what the Prime Minister has called "the future and different form of government for Canada," we find out—at least, we on this side have, because we grasped the implications of the resolution—that any fundamental change to our constitution is not going to be effected in this Parliament but rather will be done on the banks of the Thames in London.

As I said on Friday, Mr. Speaker, as a Canadian I resent the fact that Canada's constitution is to be decided in England rather than in this capital of the country.

**Some hon. Members:** Hear, hear!

**Mr. Nowlan:** If there is a colonial, it is the Prime Minister, taking his teacup in hand and going to Buckingham Palace to have Great Britain decide what our rights are, what the equalization formula and the amending formula are under the terms of this 16-page resolution.

With all due respect to our senators, in my opinion, the other place is not the most fundamental part of government. I have always had a bias in this direction, one shared by the hon. member for Winnipeg North Centre (Mr. Knowles), but if the Parliament of Canada could not change the form of the Senate using the front door, because it was held unconstitutional, why should we as Canadian legislators let the Prime Minister go through the back door in London in an effort to change the form of government which exists in Canada?

**Some hon. Members:** Shame!

**Some hon. Members:** Hear, hear!

**Mr. Nowlan:** I know that my time is limited, Mr. Speaker, and that other members want to speak. I hope hon. members on both sides of the House representing this country from coast to coast will speak their thoughts on this resolution together with their thoughts about the future of this government.

In the question period, the Minister of Justice (Mr. Chrétien) repeated the canard about patriation. In a memorable speech when this debate began a week ago last Monday, the Leader of the Opposition said unequivocally that we in Her Majesty's loyal opposition—and I believe also in the NDP—support patriation now, and the amending formula—at least the Vancouver proposal. If those two points were accepted, this resolution could be reduced to one page instead of 16.

Make no mistake about it, Mr. Speaker; we support patriation. We do not want to hide behind the robes of the Queen. We want the people of Canada to find out what the future of the country is to be.