

Newfoundland

I suggest that we would then be denying our right. We would not be exercising the function of the parliament of a nation such as Canada, and we ourselves would be destroying the constitution.

In this connection I should like to draw the attention of the house to some of the consequences which might follow if the amendment of the leader of the opposition were adopted. What he has suggested is that this matter should be referred to the provinces. He said, if I recall correctly, that it would not hold up the consideration of this legislation by the United Kingdom parliament if the governments of the provinces were to be consulted now. If it would not hold it up, then I suggest that consultation would not be the serious step which any consultation of provinces must be—not only a matter of form—so that they might have the opportunity of voicing their views.

Where would we be if we made that reference today? What would happen if, for example, there were any authority whatever for the views expressed by the hon. member for Peace River (Mr. Low) that a two-thirds vote of the provinces should govern in the matter? That is an interesting suggestion; but there is no constitutional basis for it, I submit. And what would happen if two-thirds of the provinces, let us say seven provinces, which expressed their opinion in favour of Newfoundland entering confederation, included all the provinces except, let us say, Ontario and Quebec? There is no authority anywhere, and no precedent, for the exercise of a vote; yet if consultation means anything it must give the provinces an opportunity not only to exercise their views, but also to make their will felt in some way or another.

Such a reference to the provinces is not in accordance with precedent; it is not required by the constitution; it is not in accord with the interests and desires of the people of Canada who are represented here. Further, we must not forget that while all of us in the House of Commons respect the constitution, and regard it as containing the wisdom of the fathers of confederation, consecrated by the years and applied in practice—while that is to be respected to the full, it must not be taken that you can find from something not within the constitution anything which hamstrings the acts of this parliament as representing the nation.

The limitations on this parliament are contained in the constitution; they are written there. But outside the scope of the constitution this parliament has full sovereign power of nationhood, which it can exercise in accordance with the will of the people of Canada as they are represented in parlia-

ment. This parliament represents all the people of Canada within the sphere of matters conferred on it by the British North America Act.

The speech of the leader of the opposition faces us with this situation. We have had a debate lasting a week on the terms under which Newfoundland will enter confederation. That debate seemed to carry with it the agreement of hon. members opposite in every corner of the house. We discussed the terms, fifty of them, paragraph by paragraph, through five consecutive days. The debate achieved a high level and, subject to possibly one qualification, to which the hon. member for Rosetown-Biggan (Mr. Coldwell) has referred, it seemed that the terms of union received unanimous consent of this house.

Mr. Gagnon: I said "on division".

Mr. Claxton: There was only one dissenting voice, that of the hon. member for Chicoutimi (Mr. Gagnon). If there were any others, I did and do not hear them. We debated this matter for a week; we discussed all the details and the point now raised by the leader of the opposition was not raised at all. Anyone listening to the debate throughout the week would have taken the view that the leader of the opposition and the Conservative opposition, as well as all hon. members opposite, except one, were in favour of this as a great forward step in the long history of confederation. Now that this point is raised I hope that it can be disposed of so that we may get on with the work of completing the story of confederation and making Canada one great nation "from sea to sea and from the river unto the end of the earth".

This is a step that has been worked for since 1864 and before that. It has been worked for by a long line of statesmen, our forefathers. They have worked hand in hand with our brothers in Newfoundland. Now at last in consequence of the free vote of the Newfoundland people terms of union have been negotiated which appear to appeal to this house as being fair and generous. They have been adopted by this house and are now up for consideration in the other place. Were we wasting our time last week when we adopted the terms of union? I suggest that this move comes rather suddenly and I think it will cause us to follow with the closest possible interest any further explanation.

With the delegation from Newfoundland we have worked out terms which we regard and which they regard as being fair and just for the entry of Newfoundland into confederation. It has been suggested—I was glad indeed to see that the leader of the opposition did not follow the suggestion—that we were wrong in negotiating the terms before responsible government had been restored in