

Newfoundland

today is the challenge to prevent centralized power in the hands of any government. It is all very well for hon. members on the other side to have complete confidence, as some of them have.

Some hon. Members: Oh, oh.

Mr. Drew: I notice that they applaud the reservation I made.

Mr. Rowe: Only in the back benches.

Mr. Drew: It is all very well for some hon. members opposite to have confidence that under no circumstances would a principle of that kind be abused, and I am quite satisfied also that it may be a comforting thing to feel that the government at the time is so omniscient that it can interpret exactly the point at which no provincial government could feel concerned. But there are provincial governments which are concerned about this procedure and they have already indicated that concern.

For that very reason it is most unwise to establish a principle which if extended into the years ahead could mean that some other government, perhaps with belief in the all-powerful government state, would be able to use this precedent as justification for their centralization of authority without the checks and balances which have preserved our democratic system so well since 1867.

To consult the provinces now will not prevent a full examination of this subject within plenty of time. This is February 14 and there are still more than six weeks before March 31. There is no reason why this course should not be followed. There is every reason why it should be followed, because of the concern which has been expressed already in Canada as well as the concern which has been expressed in Newfoundland. This is a matter of great concern to Newfoundland because Newfoundland coming into confederation wants to be assured that the constitution which its people are called upon to adopt as the constitution of Canada will in fact be respected as the basic foundation of their rights, as it is so regarded by the provinces already within Canada.

No matter how desirable it may be to hasten any procedure, this is no time to take short-cuts which have the effect of lessening respect for the constitution itself. We must do nothing here which reduces our constitution to a mere scrap of paper, lessens its validity and decreases its sanctity beyond the support from time to time of the parliament of Canada of the day.

The procedure here is to amend the British North America Act, an amendment of great concern to the provinces of Canada and to Newfoundland. For that very reason, desirable though the object may be, this course

should not be adopted. There is a way in which we can proceed with full recognition of the fact that this procedure departs from the provisions of section 146 of the British North America Act and seeks to carry those out in another way.

As I have already suggested, the proper procedure is to consult the provinces now. I move, therefore, seconded by the hon. member for Peel (Mr. Graydon), that the motion be amended by deleting the words:

"A humble address be presented to His Majesty the King in the following words":—

and substituting therefor:

"And whereas it is desirable that the government of Canada should consult with the governments of the several provinces in respect to the said matter;

Now therefore be it resolved, that the government of Canada be required to consult at once the governments of the several provinces and that upon a satisfactory conclusion of such consultations 'a humble address be presented to His Majesty in the following words':—"

Mr. M. J. Coldwell (Rosetown-Biggart): Mr. Speaker, parliament has before it a resolution addressed to His Majesty the King asking for confirmation of an agreement which was unanimously adopted by this house. Perhaps I should qualify the word "unanimously" because I believe one voice, that of an Independent member of this house, was raised last week, when the motion was finally put, to call "on division". Consequently the amendment, which has just been placed before the house by the leader of the opposition (Mr. Drew), is an extraordinary one in view of the fact that last week all parties supported the agreement that was then before the house. It is, of course, a surprising move on the part of the official opposition. I suppose that none of us were quite prepared for a reversal of the opinion expressed by them last week in the House of Commons. That is precisely what it appears to me to be.

I do not propose to enter into a long discussion on the constitutional aspects of this particular matter. I want to say, however, that under the British North America Act, section 146, which was quoted by the leader of the opposition a few moments ago, the duty of parliament is expressly laid down. If we look at that section we find these words:

It shall be lawful for the Queen, by and with the advice of Her Majesty's most honourable privy council, on addresses from the houses of parliament of Canada—

Our duty is to present an address to His Majesty the King expressing our desire as to what we think should be done in regard to the proposal for union. It is the duty of the government of Newfoundland to see to it that any other provisions of the British North America Act are carried out in accordance with the terms thereof. Someone has