

## Newfoundland

debate like this one, because at that time we followed closely the provisions of the British North America Act.

But now these provisions are being cast aside.

What amazes me is that we have come to the point where not only do we consider it unnecessary to consult the provinces, but we do not even trouble ourselves to propose an amendment; the provisions of the British North America Act are simply ignored.

Since the first fight I had the occasion to put up in this house, since 1943, we have reached the point where not only is the constitution amended without any regard for the provinces, without their consent, but where a statute such as the one we have before us is passed by bluntly casting aside one of the provisions of the British North America Act. There is no question even of amending section 146.

Well, I find that extremely important and extremely dangerous for our country.

Besides, that is why I submit, Mr. Speaker, that when we see a statement such as that made by the right hon. the Prime Minister (Mr. St. Laurent) on February 8 and which appears on page 352 of *Hansard*, we are justified in entertaining fears. This is what the Prime Minister said on that occasion:

It must not be forgotten that the British North America Act was passed in 1867, almost eighty-two years ago, and that conditions in this country, its people, its parliament and its government are not the same today as they were then. I was surprised at the attitude expressed this afternoon by the hon. member for Charlevoix-Saguenay. Most of us from my province derive perhaps some sentimental satisfaction from the developments that have taken place and that have brought about the situation whereby the prerogative of His Majesty is now exercised on the advice of ministers responsible to his Canadian subjects, but the hon. member for Charlevoix-Saguenay seems to be one of those who have lagged behind, and he is not willing to keep pace with the developments that time has brought about.

As if, because the British North America Act is 82 years old, we should now consider it obsolete, consider it as fit only to be thrown, for that reason, into the waste-basket.

I submit, Mr. Speaker, that such views strongly jeopardize the future of our country. Thus, when this amendment came up for discussion, I considered that if the provisions of the British North America Act were to be put aside, it was imperative to consult the provin-

ces because we would be following a different procedure from that provided in the act.

Why should we not consult the provinces? If one or many provinces raise any objection would it not be expedient first to consider the objection in order to deal with it before the entry of Newfoundland into the confederation? If no objection is raised, would not the entry of Newfoundland appear even more solemn? Would it not be easier then for the people of Newfoundland to become true Canadians, even if only because it would bring about that consolidation of Canadian unity we so often ask for? I feel that for these reasons we should adopt the amendment now before the house.

(Text):

**Hon. L. B. Pearson (Secretary of State for External Affairs):** Mr. Speaker, most of us who came to this chamber yesterday, except those few who were in on the secret, came to praise Newfoundland and not, we thought, to bury it in a wrangle over legality and procedure, with charges—which I do not think we need take too literally or too seriously—that we who favour union with Newfoundland, according to the procedure which the government have outlined, are thereby destroying our constitution.

I should have liked to participate in the welcome which we hoped would take place yesterday. That opportunity has disappeared, for the moment only I hope, because of the amendment which has been introduced by the leader of the opposition (Mr. Drew). I hesitate to intervene in the discussion which has been provoked by that amendment, a discussion which has been diverted into the favourite bypath of the leader of the opposition and those who sit with him. I hesitate even more because, to use the elegant language of the hon. member for Calgary West (Mr. Smith), I am a rookie in this chamber, though I am in pretty good company as a rookie. Not only that, but I am not even a legal rookie, Mr. Speaker. However, I do not think it is necessary to speak at any great length on the legal and constitutional aspect of this discussion because that was dealt with pretty effectively last night by hon. members who spoke on this side, more particularly the Minister of Justice (Mr. Garson), and by hon. members on the other side of the house.

However, I should like to reaffirm some points which have been made and to make one or two which I think are new. For