

*Newfoundland*

Then he made this very significant remark:

It should be altered only for adequate cause, and after the provinces themselves have had an opportunity to pass judgment on the same.

What Sir Wilfrid was saying there was, not that the provinces should necessarily be consulted as to the merits or otherwise of the proposal then before the house, but that they should be consulted as to the method and as to the necessity of altering the constitution to effect that end.

That is just the issue which is before us now. It is a question which is too greatly charged with serious consequences for the future welfare of this country for us to permit ourselves to deal with it on the basis of expediency, on the basis that it is a mere procedural matter, on the basis of convenience, or whatever word you choose to use. As was well said this afternoon by the hon. member for Stanstead (Mr. Hackett), it is a matter of the constitution under which the development of this country has proceeded in the past; it is a matter of the constitution which guarantees or has guaranteed to us the freedom and liberty; and the opportunity for advancement and self-expression, which have made Canada and the Canadian people the country and people that they are.

Again I say that it is not enough to dismiss this question by saying that the constitution does not provide for consultation with the provinces on questions of admission of new territory into the dominion, because the position is that the constitution itself provides methods by which new territories could be added. So long as the constitutional method is followed, there is of course no necessity of consulting with the provinces. Whether we consider that the British North America Act is a pact, a treaty, a compact, or a contract, the inescapable fact is this: the original parties to confederation had in mind the possibility of the subsequent entry into confederation of new territory. They considered that matter carefully, and agreed to and laid down certain procedures which should be followed when that event should come to pass. That agreement having been entered into and having been given binding form under the British North America Act, if that procedure is followed there is then no need to consult with any of the provinces or any of the other members of confederation—and I would point out that the provinces are members of confederation. But that is not the position here. The position here is that the constitutional procedure, the procedure already agreed to by the parties to confederation, is not being followed. Surely, therefore, it is not only legally correct but it is only morally just that the parties to

confederation should be consulted as to the variation of the procedure which they themselves had previously worked out.

I have referred to what is the actual point at issue here, as I see it. Last week we settled the question of the desirability or otherwise of the admission of Newfoundland into confederation. In spite of all the slighting remarks which have been leveled at the members of this side individually and as a party for what is said by our opponents to be a reversal in our stand, the fact is that we have not reversed our stand. We stand firm by our original position that it is a desirable thing that Newfoundland should be admitted into the family of the confederation of Canada. What we raise objection to is that now the very fact of that desirability, which we sincerely and in good faith agreed to, should be urged as a compulsion on us, in an effort to force us to agree to an unconstitutional method of attaining a desirable objective. If there be any insincerity in the approach to this matter, it is on the part of those on government benches when they seek to resort to methods of that kind.

Here again we see asserted the principle that the constitution can be amended in a matter of vital importance to the whole framework of confederation—the question of the admission or exclusion of new territory—without consultation with the parties to confederation, by mere majority vote in this house. We have in the past taken our stand against that proposition. Our stand is one which actually needs no justification beyond its own merits. It is in fact justified and supported by the principles laid down by past great leaders of confederation, including great leaders of the Liberal party.

We again question and again deny the principle contended for by the present Prime Minister when he was Minister of Justice in 1946 and introduced the resolution upon which was based the redistribution of that year. We deny the principle that the federal parliament has the right, by a mere majority vote, to recommend to the British government, and in some cases even to make, any changes it wishes in the constitution of this country, except with respect to sections 91 and 92 of the British North America Act.

If this startling new enunciation of principle be accepted as correct—and that is what we are asked to do now—it means that there are few features of the social, political and economic life of this country which could not be changed as the result of a majority vote of the House of Commons. It is true that there are certain divisions of powers, as laid down in sections 91 and 92 of the British North America Act, which would still