

speaking as one of the representatives of Newfoundland in the Senate, I ask the committee, when it is appointed, to regard this matter as one of its priorities. I intend, therefore, to address the following letter to the chairmen of the committee when it is set up:

Gentlemen,

The Premier of Newfoundland and others have alleged that the proposed changes to the Canadian Constitution would be prejudicial to the interests of the Province of Newfoundland in that amendments could be made affecting the basic rights of Newfoundland and Labrador without the approval of that province. Specifically, they have stated that under the procedures for changing the Constitution, Newfoundland's boundaries could be altered and the denominational system of education could be modified or abolished without the province's consent. The Prime Minister of Canada and others have categorically denied that under the proposed changes such action would be possible without the province's consent.

I have myself examined the proposed Constitution amendments minutely without being able to satisfy myself as to the validity or otherwise of the charges. I have consulted with a number of prominent lawyers experienced in constitutional matters but have not been able to find any consensus of opinion among them. Some agree with the Newfoundland government, others feel the Prime Minister is correct, while still others feel that while there might be a theoretical possibility of actions prejudicial to Newfoundland's rights without the province's consent, the chances of such action being taken are astronomically remote to the point in fact where the possibility could be considered ridiculous.

● (1755)

One fact seems to emerge from what I have said above. It is that the proposed legislation is capable of several interpretations. In view of this, as a representative of Newfoundland in the Senate of Canada I feel impelled to draw these conflicting views to the Joint Committee's attention and to request that, among its duties, the Joint Committee include a study of the proposals to determine whether or not Newfoundland's interest could be prejudicially affected and if this is found to be the case, that the Committee recommend whatever changes are necessary to remove from the proposals any possibility whatsoever that the boundaries of the Province could be altered or the denominational system of education changed or abolished without the consent of the Government of Newfoundland and Labrador.

Yours sincerely,

F. W. Rowe,
Senator.

Senator Bell: Honourable senators, I enjoyed the honourable senator's speech very much. I always enjoy hearing someone learned in the history of his province or country tell me about it.

I would like to ask the honourable senator a question. This concerns the letter you are proposing to send to the theoretical chairmen of a theoretical committee. I wonder if you would make a small change in it? Perhaps you would consider not using "gentlemen", and never "chairperson" but at all events, some other form than "gentlemen".

Senator Rowe: Thank you. That occurred to me as well. I am sure honourable senators appreciate that this is purely a draft letter, and I assure them that that very important point will be looked at.

Senator Macquarrie: Honourable senators, this is Halloween, and it is the time when one hears goblins and other magicians pretending to read the future. I would presume that I would not be terribly unpopular if I asked leave to call it 6 o'clock and move the adjournment of this debate.

On motion of Senator Macquarrie, debate adjourned.

THE CONSTITUTION

PROPOSED RESOLUTION FOR A JOINT ADDRESS TO HER MAJESTY THE QUEEN—DEBATE CONCLUDED

On the Order:

Resuming the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", tabled in the Senate on 6th October, 1980.—(*Honourable Senator Frith*).

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, as I mentioned on an earlier occasion, since the subject matter of this inquiry fully overlaps the subject that is being debated in the chamber right now, I am proposing to say no more. If no honourable senator wishes to speak to this inquiry, I would ask that it be considered as having been debated.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

BUSINESS OF THE SENATE

ADJOURNMENT MOTION WITHDRAWN

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, I take it that I also will not make anyone too unhappy if I ask leave, under rule 23, to withdraw the following motion in my name:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Saturday, 1st November, 1980,