

*Canada Student Loans Act*

Well, it has been established by the theory of the "colored" legislation that the courts consider the purpose of the act, and not its appearance. This legislation is not a loan; it is an act to give assistance in the field of education. If its ultimate result is to legislate in a field coming under another's responsibility, it must be declared null and void.

Well, Mr. Speaker, this act is absolutely ultra vires. I may be told: "In that case, take the matter before the courts." Another anomaly in our system.

We have no constitutional court. We have no court where, in a federative system, the governments, the central and the provincial governments, appoint, in all fairness and equity, representatives to take an equitable decision on constitutional conflicts. We have a supreme court only. I do not quarrel with the competence or the various purposes of that court, but it is the absolute creation of the central government, where the provinces have no representatives; they cannot appoint representatives or judges to that court to take decisions on constitutional problems. The present federal government takes a great deal of interest to all sorts of problems, but it should restrict itself to problems which are not settled and which come under the Minister of Finance (Mr. Sharp) and the various ministers. There are a lot of problems, a lot of hardships and complications in economic and industrial matters in the country which come under section 91 of the federal jurisdiction. The central government should devote all its energy and its ability to settle the problems incumbent upon Ottawa, and mind its own business and leave to the provinces their own jurisdiction. The provinces can manage their own business, Nova Scotia, British Columbia, Newfoundland as well as the province of Quebec. Let the hon. Minister of Finance restore to the provinces their taxing powers. Instead of keeping that pile of money, he can always set up standards of uniformity across the land. And, in the field of education, as in that of culture, the province of Quebec wants to be sole master of the orientation, the development and the survival of education of this generation and of the nation that lives in the stronghold of the province of Quebec. That is why it objects to the dictates of the central government, regardless of what party is in power. It is all very simple. That is why section 93 was inserted in the constitution, in 1867, and why confederation was achieved as a pact, an agreement between the two great founding nations of our country. But it seems

[Mr. Allard.]

all that historical significance has disappeared. Indirect attempts are made, through all sorts of means, through tacit attitudes, to gain access to all fields without the consent of the provinces, and once established in a field of endeavour, the federal government offers the provinces to raise money and co-operate, with the help of federal statistics and federal decisions, in setting up standards.

Well, I say this is going backwards. If the central government and the nine other English Canadian provinces really want the central government to deal with the field of education, I, for my part, have no objection, since I respect the way of thinking of all Canadians.

But then, this government should assume their responsibilities and initiate constitutional reforms. They do not want to reform, they do not create any parliamentary committees, as regards the constitution, they keep on resorting to steps which widen the gap and foster misunderstanding between Canadians, between the province of Quebec and the other nine provinces.

I can well understand the English speaking Canadians from the other nine provinces not objecting to grants in the educational field, either from the central or from the provincial capital. For those Canadians, who have my respect and admiration for their vitality, the success in their personal activities and in the financial and industrial field, this question is a technical one, a mere matter of form.

Dollars may come from the provincial or from the federal capital; it is just a technical matter. They share the same culture, the same educational curricula, the same language, most have the same religion and thus they constitute a group having the same interests in the educational and cultural fields.

But in Quebec it is different. French Canadians make up a nation with rich and diversified sociological elements; they have to retain their own traits to orient their own educational programs. In order to orient the various aspects of this planning the government of the province of Quebec, no matter which one, needs essential revenues.

Thus, we see two different approaches. But why not create a parliamentary committee on constitution that would be a prelude to a national conference, grouping Canadians of good-will, from Halifax to Vancouver? I do not feel that the problem is insoluble. The Canadian people of 1966 are as intelligent as their 1867 forebears, I am convinced of that.