

Dominion-Provincial Relations

May I be allowed, first of all, to refer to the speech made by the hon. member for Bellechasse (Mr. Dorion) on April 26 last. The hon. member could not help expressing his deep concern when he said, as recorded on page 16 of the English appendix to *Hansard* of that date:

While the Minister of Finance has the right to satisfy himself that the arrangements reached between the provinces and their universities are truly consistent with the requirements of the act—

Mr. Speaker, I say that the hon. member for Bellechasse himself recognized that, in order to ensure the proper operation of this act, the presence of the Minister of Finance was absolutely necessary, because he is the one who judges whether such agreement is satisfactory or not.

I now refer to the speech made by the hon. member for Charlevoix (Mr. Asselin) on May 5 last. In my opinion, the hon. member is assailed by doubt, and is trying to appease his conscience when he says, as recorded on page 9 of the English appendix to *Hansard* for May 5:

Even if this bill is less than perfect, it remains that we have only two years to experience its constitutional effects and, in 1962, the authorities concerned will be free to accept it permanently or to reject it if its constitutionality is seriously questioned.

As regards the extravagant speech made by the hon. member for Roberval (Mr. Tremblay), which is recorded on page 16 of the English appendix to *Hansard* for May 5, it is indeed a feat, a great accomplishment; the hon. member managed to use up all his time in dealing with a given subject and yet completely avoided talking about the legality, the constitutionality of Bill C-56.

Mr. Speaker, I now come to the speech made by the Solicitor General (Mr. Balcer) on April 26, 1960. I am very glad to note that he is now in his seat, and I will try to sum up in three points the speech he made that day.

First of all, the Solicitor General said that this bill was, in his opinion, a compromise.

Second, the Solicitor General discussed the St. Laurent formula, which he rejected as he had in the past. Here is what he said on the subject, as reported on page 3284 of *Hansard*:

Such a piece of legislation, Mr. Speaker, which had the effect of isolating Quebec, was of course unsatisfactory and even harmful to national unity.

After the Solicitor General had completed his remarks, the hon. member for Laurier (Mr. Chevrier) asked him the following question:

Would the hon. minister allow me a question? Why did he not vote against grants to universities in 1951 and 1957?

And here is the reply of the Solicitor General, as reported on page 3288:

Mr. Speaker, I do not remember about 1951, but I recall having been the only member to vote against them in 1957.

Mr. Speaker, I shall be dealing with those statements of the Solicitor General in a moment.

At this stage of my remarks, I should like to answer a ridiculous claim made by the Solicitor General when he said, as recorded on page 3288 of *Hansard*:

—any legislation which finds its place in only nine provinces out of ten and is not acceptable to the tenth province leaves a very grave doubt as to its constitutionality.

(Text):

Mr. Speaker: I believe the hon. member is reading from another debate of this session, not this debate.

Mr. Deschatelets: If you will permit me, Mr. Speaker, to discuss the point you have raised—

Mr. Speaker: I find that this speech was delivered—

Mr. Deschatelets: If you will allow me, on the point you have just raised, I would point out that I am quoting extracts from the speech made by the Solicitor General a few days ago. I am reading from *Hansard* of April 26, 1960 at page 3436. These are the exact words used by the Solicitor General.

Mr. Speaker: Of course, if that is the case, the hon. member is entitled to proceed; but my record of this debate shows that the Solicitor General spoke and was recorded at page 3284 of this debate, and that was the reason I raised the point.

Mr. Deschatelets: I have reference to the French version.

Mr. Speaker: Oh, it is the French version; very good.

(Translation):

Mr. Deschatelets: Mr. Speaker, as I was saying, the Solicitor General stated that:

—any legislation which finds its place in only nine provinces out of ten and is not acceptable to the tenth province leaves a very grave doubt as to its constitutionality.

Let us be logical, Mr. Speaker, and let us dispose of the legal opinion advanced by the Solicitor General in the statement I have just quoted. If it is true that a piece of legislation is of doubtful constitutionality if it is accepted by only nine provinces out of ten, why then did he two days ago,