

*Interim Supply*

We call ourselves a federation. Indeed, some of the more precise political scientists say that our federal institution was created so strong that we are not in fact a federal state, because the constituent and component parts have much less power than in many federations and certainly nothing approaching co-equal powers. We know that our nation began as the result of many of our founding fathers desiring a unitary state. This they did not achieve. But they got something which they thought was close to it, and when over 100 years ago the agreement reached in our capital city of Charlottetown was presented to the then Canadian legislature the founding father number one, John A. Macdonald, described it in this manner:

We have strengthened the general government. We have given the general legislature all the great subjects of legislation. We have conferred on them, not only specifically and in detail, all the powers which are incident to sovereignty.

Then he went on to say that this was the great mistake made in the United States where powers had been conferred upon the states and only the residue given to the central authority. He ended with a sentence which I believe is more timely in 1964 than in 1865.

We thereby strengthen the central parliament and make the confederation one people and one government, instead of five peoples and five governments, with merely a point of authority connecting us to a limited and insufficient extent.

The figure 5 came, Mr. Chairman, because at that time he no doubt thought Prince Edward Island would be one of the original members of confederation. It took a little more effort to get Prince Edward Island in six years later. This strong society is revealed in our British North America Act, to which reference was made this morning. Under this act the dominion government was given not only all those powers enumerated in section 91, but all powers except those given to the local legislatures. A tremendous array of legislative powers were vested in the central government. Beyond that, the central government was given a special power which is rarely if ever given in a federation. To indicate the strength of our federation, it was given the power of disallowance. As if that were not enough to indicate that this was an unusually strong federation, it was followed up by a provision whereby the dominion parliament could legislate in exclusively provincial fields if necessary to remedy an injustice upon the people of any province. We know that remedial legislation was very much an issue around the turn of the century.

We know, too, that in any federation there are counterpressures against the central government. Provincial rights is not a new cry. John A. Macdonald heard it before he was prime minister for very long. His political enemies used it against him. The leaders of the provinces used it against him and sought incessantly to chip away at the central authority which he considered necessary to build the country and to maintain the country. We know how frequently in those great days of stress and challenge it required a vigorous, aggressive dominion government to do the things that had to be done to make confederation a reality as well as a legality. I could cite the building of the Canadian Pacific Railway as one of those. Down through the years we often found that the provinces would be aided by the opposition group in the House of Commons. Macdonald was in for a generation, and in that time the Liberal party became a strong provincial rights party. This has often happened. John A. fought back. Without a fight the nation would have failed and would have dissolved into its original components, in all their weaknesses, inequality and diversity.

In that time it was found necessary, in order to preserve the nation, for the dominion government to disallow 66 provincial acts. As has been observed across the way, this was in the past. We find it impossible to divorce ourselves from the past. The dreams and intentions of the fathers failed of realization. The dominion government was inhibited and its effectiveness was attacked. Its resources were diminished. Then, as a result of a series of judicial interpretations and decisions, the cause of provincial rights was advanced at the expense of the dominion.

We are always aware that in a country like ours there is constant tension and conflict between the centripetal forces which move to the centre and the centrifugal forces which throw out to the extremities. This has been the warp and woof of our political history. The present era—I hope it will not really deserve the expression “era” because that generally implies a considerable length of time—the present phase of dominion-provincial relations is unique. I think one would look very carefully through the pages of Canadian history to find a situation similar to this one. In the first place, the rate of erosion of dominion powers is more rapid than ever before. The glacial attrition of earlier days has been replaced by a rapid stripping off, as if by the power and speed of an avalanche.