

Honourable senators, I have now dealt with two of the three divisions of the constitution; first, that part which relates to provincial matters, and second, that part which relates to purely federal matters. In January there will be a conference of the political leaders of Canada, provincial and federal, to consider that great intermediate field where one jurisdiction impinges on the other; and it is highly essential that the approach should be made in the spirit of full Canadianism and not from a partisan or merely provincial standpoint.

Some Hon. Senators: Hear, hear.

Hon. Mr. Farris: In this paper I have already mentioned, the *Gazette*, I see these words: "The only way is the friendly way". To that I say yes, a hundred times. The only way is the friendly way. But I submit, with the greatest respect to this newspaper and to others who support its views, that it is not "the friendly way" to hatch objections which have no validity. The way to approach this question is with a full recognition of the practical differences and distinctions between provincial matters and federal matters, and of those which overlap both. I know of no man in Canada who has a broader grasp of these questions, is more sincere in his desire to work out a solution, or has more courage to do something, than the Prime Minister of Canada.

Some Hon. Senators: Hear, hear.

Hon. Mr. Farris: If, when that conference takes place, the premiers and cabinet ministers of the provinces are animated with that same courageous, broad-minded spirit, we shall achieve for Canada something that will be one of our greatest monuments, not only to the nation but to the great leaders who bring about that desired event.

Hon. L. M. Gouin: Honourable senators, this is the first time that I have risen to speak since the opening of the new parliament. Like those who have preceded me, I wish first to pay my compliments to our distinguished colleague who now occupies the exalted position of Speaker of this house. All of us, myself particularly, have rejoiced over his appointment, and we all know that he will most faithfully and ably perform his important duties.

I have also a tribute to pay to the senator from Vancouver South (Hon. Mr. Farris). I always listen to him with great interest, and today I sincerely believe that he has surpassed himself in moving the adoption of the motion which is now before this house.

To speak after our eminent colleague from our Pacific province is a great honour, but it is also a perilous task. I cannot emulate

his masterly command of the English language and I cannot speak with the authority which he possesses, but in my own Quebec accents I shall speak with ardent sincerity from my truly Canadian heart.

In constitutional matters there are two opposite schools of legal theory. There is a conflict, two centuries old, between those who put all their faith in written and rigid constitutions, and those who, on the contrary, adhere to the organic principle of a flexible constitution. In a certain sense this is the opposition between the advantages and disadvantages of a code as against those of the common law. I am a great admirer of our Quebec civil code. I consider it an almost perfect instrument for the administration of private law. But in constitutional matters, honourable gentlemen, I draw my inspiration not from France, my mother country, but from the great and venerable parliamentary institutions which all Canadians, whatever their origin, have inherited from Great Britain. This is why I consider it a grave error on the part of some of our opponents to regard our constitution as being entirely crystallized or, so to speak, codified in a so-called pact or treaty, the British North America Act. If we had accepted this view, our constitutional structure would be of the nature of a written constitution, so rigid that it could not adapt itself to changing circumstances or adjust itself to our status as a sovereign state, an international power. We would be condemned to wear, perhaps forever, children's clothes as they were tailored in 1867 for the then colonies or dependencies.

To try to stop the progress of our young and robust Canadian nation in the name of provincial autonomy or under the pretence of safeguarding religious or racial rights, to try to grant to any province the right of veto in federal matters, is in my opinion an act opposed to our national interests and to our social well-being. It is indeed a short-sighted policy to ignore the fundamental law of organic development. By so doing one would refuse to be reconciled to the idea that our constitution is really and truly a living organism which must continually and gradually change, which can never stand still, or it would decay and finally perish.

I have been brought up and educated by those who believe that our mission is to be in the vanguard of our national progress, that our task is to march steadily towards complete sovereignty, that our supreme satisfaction is to see our constitution grow and develop like a gigantic and glorious maple tree in this new world of ours.