

principles and uniform laws on questions of equal concern to all the provinces, while leaving to each province sufficient municipal liberty and self-government to allow it to exercise certain local powers to the general advantage.

Lord Sankey expressed a similar view when he gave judgment in favour of the Dominion in the aeronautical case:

The main object of the Act, he said, is to establish a system of government on essentially federal principles.

The distribution of legislative powers is given in sections 91 and 92 of the British North America Act. Consequently, the dominion parliament cannot assume the right to legislate on any subject mentioned in section 92, even on the frequently invoked ground that the matter is an economic one of pressing and national importance, such as unemployment insurance, for in these matters the provinces are sovereign.

We have frequently been told of late that Confederation could survive only on condition that its basic pact remain untouched. To respect provincial rights; to agree with the provinces on a method of amending the constitution, and above all to hold sacred its clauses concerning the right of the minority of their language, their religion and their privileges, that is understood; but to say that the federative agreement, that obsolete instrument, must not be touched at all, is a different matter.

Is it not proper to seek the right to amend the constitution in order to give to the unemployed of the different provinces rights to which they are entitled but which they do not now enjoy? The country is on the brink of ruin while the house discusses the question of the constitutional handicaps which we should nevertheless acknowledge and which it is probably essential to consider and to determine.

Confederation was not made without us. Why are we always endeavouring to isolate ourselves in the province of Quebec as in an Indian reserve? During the economic dislocation to which we must submit, the entire machinery is immobilised in consequence of the ill-will of those who try to establish a state within the state. We know some of the evils affecting the body politic. The healing of a great part of those economic sores depends on the action of the provinces. The federal power will provide some remedies, but, in any case, it is essential to conform our constitution to present conditions and to insure, in the social and economic fields, a greater measure of cooperation between the dominion and the provinces. Our constitution is full of vague statements, difficulties and contradictions, and, for that reason, we move backward instead of forward.

[Mr. Leduc.]

It is time to put a stop to the differences of opinions existing between the dominion and the provinces on the question of jurisdiction. It is time that our governments stop passing the buck.

The minister of justice (Mr. Lapointe), who is considered as the greatest Canadian authority on constitutional law, recently said in a speech that an amendment to our constitution is possible, in order to give the federal government the necessary power to establish unemployment insurance and at the same time to provide better safeguards for the rights of minorities, under a system according to which no change respecting the language, the religion or the political rights of a minority could be made without the unanimous consent of all the provinces,—safeguards that the present constitution does not provide.

I say without hesitation that, to my mind, it is absolutely essential to change our constitution in order to solve social problems and insure survival of our democratic institutions. I have no hesitation in stating that in those words I am giving expression not only to my personal views, but to those of my constituents and also the great majority of the people of the province of Quebec.

Canadian unity is endangered by the lack of legal cohesion, by our antiquated constitution which does not meet our present needs. Without anticipating a future discussion, I hope the Sirois commission will show us a way of giving life to the federative agreement. The irresistible evolution of men and things, the progress of modern times and of civilization have rendered imperative a remoulding of constitutions. Obsolete monarchies are out of date. Empires shake on their foundations. The abuses of democracy have engendered dictatorships. The entire world craves for innovations, which it sometimes seeks in the unfortunate aberrations of totalitarian systems. But, no matter! The failure of old governmental ideas has created, in certain nations, a taste for adventure. Let us hope, sir, that, in the general panic, our people will keep cool. Changes to be made in our constitution will have to be to the advantage of our people, who want to be freed from that strait-jacket in order that they may fulfil their destiny. It is impossible to place unemployment insurance on our statute books without the consent of the provinces. Let us wish also that a really national spirit will replace that sulkiness which was responsible for a lack of cooperation shown in certain quarters towards the Sirois commission. Let us hope that Canadian ideals will inspire our legislators so that the great wind of progress may fill the sails of our