

Columbia River Treaty

will to proceed with whatever project it believed best for Canada, and if need be it could have declared the whole project a work for the benefit of Canada both as to the power and the water. I am not saying for one moment that in these days of co-operative federalism a province which undoubtedly has the proprietary right in the power to be produced should not be consulted and its views fully taken into account. What I am suggesting is that in a matter which affects the welfare of more than one province and is unquestionably within the legislative jurisdiction of parliament as determined by the B.N.A. Act the government of Canada has a duty to assert firmly that Canada will be master in its own house and will not submit to dictation or veto in international negotiations from any province.

In other words, what the government of that day and the government of today should have said to Mr. Bennett in relation to this matter is, to use a colloquial phrase, "Go jump in the lake", or if not in the lake, in the river. We all know that as we approach Canada's one hundredth birthday we are doing some soul searching about our constitutional set-up and the relations between the federal and provincial governments. We in this party do not believe that the policy of abject surrender to provincial veto evidenced by the history of this treaty will help to build a strong or united Canada. We ask parliament to reassert the jurisdiction claimed for parliament by Mr. Lesage, a jurisdiction which it undoubtedly has.

While dealing with parliament I want to make a final comment on the way the treaty has been submitted to parliament. This treaty was subject to ratification by Canada and the United States. Before the last election the Prime Minister (Mr. Pearson) promised that the treaty would be submitted to parliament and scrutinized by the external affairs committee, which would hear evidence and then make its recommendations.

After the election, and before submitting the treaty to parliament, the protocol was negotiated and signed. The committee then met, as the house knows, and many days were spent in hearing evidence. However, the Secretary of State for External Affairs (Mr. Martin) attended on the committee and made it clear that while the committee had the theoretical power to do what it liked, in fact the treaty that was before it was before it on a "take it or leave it" basis; no changes were to be accepted; the existence of the

[Mr. Brewin.]

government was put on the line in support of every dot or comma in the treaty and protocol.

I must say that I found it hard to see, in the circumstances, how any supporter of the government could express any views or hesitations about the treaty, whatever the evidence happened to disclose. In this situation the review by the external affairs committee was a mere formality; the verdict had been given before the evidence was heard. Indeed, the hon. member for Coast-Capilano (Mr. Davis) described the process in a statement made on December 12, 1962, and reported in the *Globe and Mail*, as follows. This is to be found in the evidence at page 260 and I want to read it to the house. He said this:

The Columbia river treaty, the government tells us, is to be brought before the House of Commons and there it will be promptly referred to the house committee on external affairs. Various experts and a number of publicly minded citizens will be asked to testify before that committee. They must be heard and their suggestions will be treated seriously—so seriously, in fact, that the treaty may have to be changed in certain important respects. To ignore these witnesses and to brush aside their recommendations would be folly; not only that, but it would make a mockery of parliament. Why bring the Columbia treaty before your elected representatives if it cannot be changed in any way? And why shy away from making changes which are in our national interest? After all, we have to live with certain aspects of this treaty for a long, long time.

The hon. member made that statement in late 1962 and it is just as applicable now as it was at that particular time.

Mr. Martin (Essex East): You should read the whole speech.

Mr. Brewin: If the minister will make sure that I get extra time, I might think of reading the whole speech; I think it would be very helpful to the house.

Mr. Herridge: Get the hon. member for Kootenay East (Mr. Byrne) to read his, too.

Mr. Brewin: The issue is this, and it is an important one, Mr. Speaker. I appreciate the fact that it is constitutional practice in this country that the treaty-making power is vested in the executive, but the Right Hon. Mackenzie King, who I suppose would be regarded as something of an expert or an authority by members of this house, had this to say. I am quoting from "The Art of the Possible", a book by Professor James Eayrs, at page 106. He was quoting Mr. Mackenzie King in the House of Commons: