

*The Address—Mr. Drew*

careful not to weaken the federal structure in any way but rather to strengthen it and to give to the provincial governments that measure of independent authority in dealing with their local affairs which is the only way in which they can do the tremendously important job that they have to do.

There is a great background to this whole question. Canada had experimented with a single government. In 1841 the Act of Union provided for a single government, not only for what is now Quebec and Ontario but for the other provinces to the east as well. Actually those other provinces never came into that union and consequently Ontario and Quebec carried forward that experiment in unitary government from 1841 to 1867. One of the compelling reasons for the adoption of the federal system in 1867 was that even with all the efforts that were made to make that system work it was found that there were reasons why this country could not carry on under a single system of government. Therefore we followed the course which seemed to provide the greatest assurance of national strength in the central government with the retention by the provincial governments of those local rights and conditions without the preservation of which this country could not have become one great united nation.

Then there was another very important consideration. Those who discussed the federal system here in Canada had before them evidence of what had occurred in the United States, and in their thinking they were greatly affected by what had taken place there. It is quite clear from the discussions that they gave great attention to the exchanges which had occurred between those brilliant and highly trained men who had drafted the constitution of the United States more than 75 years earlier.

Because we as a nation followed the United States to a considerable extent in the drafting of our constitution, it is well for us to remember that another very important reason for adopting the federal system was that it provided checks and balances between the two levels of government which seemed best designed to prevent over-centralization of power at any time in the hands of the central government. Going back to the discussions which took place in the United States at the time of the drafting of their constitution, and using the word that is still used very frequently in relation to it, they were seeking to prevent the usurpation of power at any time within the framework of the democratic structure.

So that it may not be suggested that I am merely making this statement here in the House of Commons and expressing a different opinion to that which I have held at any

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other time, may I quote from a statement I made in the Ontario house which is recorded in the Ontario *Hansard* of April 1, 1947. I do this in order to explain what I gave to the Ontario legislature as one of the reasons why it was essential that we respect in all its integrity the concept of the federal system which was laid down in 1867. I am quoting from the *Hansard* of the Ontario legislature of April 1, 1947, as follows:

In examining the effect of such proposals upon national unity, it would be well for all of us to consider their effect upon the province of Quebec.

There are good reasons why the province of Quebec attaches special importance to the provisions of the British North America Act and is less likely to accept substantial changes which are made without the consent of that province and without adequate compensating protection, if any of their established rights are to be diminished. With good reason Quebec looks to the British North America Act as their guarantee of their own civil law, of their customs, of their language and religion.

It would be well for all of us to keep in mind the reasons why those special rights were assured to the province of Quebec in 1867. The provisions of the British North America Act merely carried forward undertakings which were first given at the time of the capture of Quebec in 1759. Those undertakings were given statutory form in the Quebec Act of 1774 and repeated in the Constitutional Act of 1791.

It is not for anyone living in any other part of Canada today to question the wisdom of that decision. There can be little doubt that if those rights had not been granted the people of Quebec would have seen no good reason for not joining the other North American provinces which seceded and formed the United States, after the Revolutionary War which began in 1775.

Nor is it likely that the soldiers of Quebec would have fought so gallantly and so successfully in the defence of British North America in the war of 1812-14 if the Constitutional Act had not reassured them of those rights in 1791, and in doing so gave them a good reason for remaining loyal to the British crown.

In view of the fact that those rights have been undisturbed for nearly two hundred years, there is no reason why the province of Quebec should accept any agreement which would have the effect of weakening their provincial government, and by centralizing financial power in the central government present the very real possibility of the establishment of a unitary government, in fact if not in name.

If these deductions are correct, then those provinces which hope to maintain national unity will follow a course which it is possible for Quebec to follow as well. But, Mr. Speaker, in emphasizing the special reasons why Quebec would resist agreements which would weaken the federal structure and lead to centralization, I wish to leave no impression that it is Quebec alone which would be unwilling to lose control of its own local affairs. The people of Ontario are very properly jealous of their great traditions and I do not believe that they would be willing to hand over the control within their province of their local customs, their administration of justice, and their own long-established educational system.

I have read that quotation at length because I believe it is something it is necessary to